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# Report of the Commissioner of the General Land Office, 1877

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# REPORT

OF THE

## COMMISSIONER OF THE GENERAL LAND OFFICE.

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DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
*November 1, 1877.*

SIR: I have the honor to transmit herewith the annual report of this office, showing the business during the fiscal year ending June 30, 1877, under the several laws relating to survey and disposal of the public lands and the condition of business at the close of said year.

The sales of public lands for cash are about one hundred thousand acres more than the sales for the fiscal year next preceding, while the number of acres entered under the homestead and timber-culture laws is 2,698,771.56 acres less.

During the fiscal year there were certified for railroad purposes 700,791.96 acres, showing a decrease, as compared with the previous year, of 300,986.58 acres; certified for wagon-roads, 61,543.18 acres. The list of selections now awaiting examination cover 714,758 acres.

During the fiscal year ending June 30, 1877, 14,103 acres of land were entered under the provisions of the mining laws, and 13,243.92 acres were patented, involving a large amount of clerical labor in the examination of each claim and the preparation of the patent, owing to the numerous conflicts which exist. Seventy-one more patents were issued during the past fiscal year than the year preceding, varying in area, the smallest being  $\frac{5}{1000}$  of an acre.

During the fiscal year there were certified to the State of Louisiana under the act of March 2, 1849, (such certificate having the force and effect of a patent,) 39,353.54 acres, being an increase over the preceding year of 32,011.36 acres. And during the same period there were patented to the various States under the act of September 28, 1850, (Revised Statutes, sections 2479 and 2480,) 375,064.82 acres, being an increase over the preceding year of 281,526.16 acres.

The total disposals of public lands under existing laws for the past fiscal year amount to 4,849,767.70 acres, less by 1,674,558.66 acres than the disposals in 1876.

Up to June 30, 1877, the public surveys have been extended over 713,572,737 acres, 10,847,082 acres having been surveyed the past fiscal year, leaving a total of unsurveyed lands of 1,101,197,183 acres.

### CLERICAL FORCE AND WORK OF THE GENERAL LAND OFFICE.

By reference to the statements of the condition of the work in the several divisions of the bureau, it will not escape your observation that a very large arrearage is shown, much of it the accumulation of former years, while a considerable percentage has been added during the year

in consequence of the insufficiency of the clerical force to keep up with the constant press of the current business. Year after year my predecessors in this office have urged upon Congress the necessities of the public service in this regard, and since my induction as Commissioner I have labored with renewed effort to the same end. Thus far, however, it does not appear to have reached the judgment of Congress that a paramount need of the country is daily sacrificed upon the altar of a false economy, and the most sacred interest of the hardy pioneers of civilization, that of speedy acquisition and security of their homes and hearthstones, is continually ignored and disregarded.

By the regular appropriations for the current fiscal year, provision is made for one Commissioner, one chief clerk, one recorder, one law clerk, three principal clerks, five clerks of class four, twenty-two clerks of class three, forty clerks of class two, seventy clerks of class one, one draughtsman, one assistant draughtsman, two messengers, three assistant messengers, eight laborers, and two packers, to which an additional allowance was made by a clause in the sundry civil act to the amount of the expenditure of ten thousand dollars, available from March 3, 1877, to enable me to bring into market the vacant lands in the Southern States under act of June 22, 1876.

These allowances and provisions were greatly reduced from the estimates submitted, and have not sufficed, as before stated, to keep up the current work of the bureau.

As an illustration, I would mention the fact that the correspondence in the public lands division is six months behindhand, not only causing great inconvenience to the office, but absolute wrong to individuals, who, addressing the Government upon important matters, are obliged to wait months for reply, instead of receiving answer at once, as would be the case were private individuals concerned in the same manner as the Department. It would seem to be a matter of the merest and commonest courtesy, as well of individual right, that letters received by the office, often involving matters of great moment to the settlers and others interested in acquiring the public lands, be speedily and properly answered, in such reasonable time as will enable parties to take advantage of the season in the preparation for crops and the making of homes and improvements, without risk of an adverse decision tardily rendered, and often doubly vexatious and burdensome on account of the added time, labor, and expense devoted to the improvement of the lands of which they are deprived.

The contests relating to conflicting claims are still further in arrears. The examination of these conflicts cannot be undertaken by mere novices in official life, nor by men possessing even the highest order of clerical ability, without legal training and the acquisition of those habits of care, research, and judicial observation which enter into the judgments of courts. No ordinary tests of admission to departmental clerkships will properly fill these positions. It is in consequence of these facts that this office is at present so far from efficient organization.

The compensation allowed to the classes of clerks necessarily assigned to the making up of official decisions in all branches of the bureau is too small to secure first class men, acquainted with law, and especially with land statutes, and with the current and routine of departmental practice, and possessing the requisite tact, discretion, and power of discrimination to act upon these important questions, covering the elements of title to the entire body of lands disposed of by the Government.

The number of clerks should be largely increased in all the higher grades. Into these classes should then be introduced men of first class talent and legal acquirements, ready versed in the law, and familiar, as far as possible, with the practice in land cases. The salaries of the heads of divisions appointed to superintend the work of these classes, including the recorder and law clerk, should be raised to twenty-five hundred dollars each, and the chief clerk, who is required by law to act as Commissioner in the sickness or absence of the head of the bureau, or in case of vacancy in that office, and must, therefore, be fully qualified for its duties, should receive not less than three thousand dollars per annum.

With ten heads of division, including the recorder, law clerk, and three principal clerks, at twenty-five hundred dollars each, ten clerks of class four as assistants at eighteen hundred each, a principal draughtsman at two thousand dollars, and an addition of ten to each of classes three and two above the number allowed by the last appropriation, I could so arrange the work as to double the efficiency of the office in a very short time. Without some additional assistance of this kind it must remain for an indefinite period in its present very unsatisfactory condition.

I have not in the foregoing set before you any statement whatever respecting the recent interruption to the work caused by the late disastrous fire. It is safe to assert, and this will be found within the facts, that at least two months have been taken from the time of the whole office by the delays and interruptions incident to the casualty. This will in effect consume one-sixth of the annual appropriation for the regular salaries, and a much greater portion of the contingent fund. Of course it will be no more than mere repairing to add sufficient to the present force to make up this item of actual loss. The service of the Land Department is too valuable to the country to be allowed to suffer from such causes, especially at a time when it is already largely in arrears, in spite of its every effort to keep pace with the current business. The increase asked for is only sufficient to put the office on a sound working basis for regular service. To this estimate should be added appropriations for special service in various departments, such as swamp land adjustments, timber trespass investigations, and other matters taken up in their regular connection elsewhere in this report.

The force of messengers and laborers is also insufficient to secure the proper dispatch of the public business. The former should be increased one-half and the latter one-fourth in order to subserve the reasonable convenience of the bureau and those doing business before it. As now organized, the lack of messengers frequently compels the interruption of the work of clerks of every grade, from the lowest to the highest, and the consumption of much valuable time in communicating with distant rooms, which could be more economically paid for at the proper salary than by devolving it upon the clerks and heads of divisions at the present rates of compensation.

I would also recommend legislative provision for a competent stenographer, at a salary of sixteen hundred dollars per annum. The necessity for the service of such a person in this bureau must be equally as obvious as it is for other departments and bureaus of the Government for which provision is made.

#### LAW LIBRARY.

Questions of the utmost importance, involving vast interests requiring the most thorough and careful research and examination, are continually



before this office. They involve the construction of laws relative to the disposal of the public domain, and in this connection the application of the general principles of law as defined by the leading authors and reports of judicial decisions. The number of law books in the possession of the whole Department is very small, the libraries of the Department proper and the various bureaus containing not all of the text books most commonly used, and only a very limited number of the State reports. The library of this bureau contains, perhaps, half a dozen text books, a broken set of the decisions of the Supreme Court, and of the opinions of the Attorneys General, and no State reports. An extended examination of authorities requires a visit to the library of the Supreme Court or of the Attorney General's Office, necessitating loss of time and great inconvenience; and such visits are in fact in most cases impracticable, because each employé should be at his desk during office hours, as it is not known at what moment his personal services will be required; and in leaving the office he is separated from the records and papers to which he should have access in connection with his examination of authorities.

Of many of the law books there is only one copy in the whole Department, and the use of the same book is often necessary by different parties at the same time. In consequence of this condition of affairs, decisions are rendered involving the largest interests, in many instances affecting the determination of the courts, without a sufficient examination of authorities, because they are not available.

I therefore respectfully urge that the attention of Congress be called to this subject, with a view to adequate appropriation to enable this bureau to purchase such books as are absolutely necessary to the proper administration of its affairs.

#### JUDICIAL TRIBUNAL—CODIFICATION AND REVISION OF LAND LAWS.

The subject of revising and codifying the entire land laws of this country, and the establishment of a proper judicial tribunal for the determination of questions arising before this office, is one of such pre-eminent importance that it seems a little remarkable that it has not been made the subject of legislation.

When we consider the vast number of decisions which in the courts and this Department have been made, and acts of Congress, involving questions of land titles, and the number of cases daily arising in this bureau, to which all of this great amount of precedent and authority is more or less applicable, it becomes evident that there should be a careful codification and revision of the law upon this subject, and some tribunal established whose especial duty it should be to determine the questions here arising, and in accordance with the nicest distinctions of the law, and with a view, also, to the establishment of a consistent line of precedent which should not only be a guide to the Department but an aid and authority to the courts.

Perhaps there is no one who has had occasion to be brought into familiar contact with the decisions and rulings of this branch of the Government who has not remarked the conflicting expression of opinion and want of any clearly defined exposition of the law with reference to the important questions continually arising before it. I do not say this in disparagement of my predecessors or any one connected with the business of the office. This state of things results naturally and necessarily. It is impossible that any Commissioner of the Land Office, however eminent a lawyer he may be, should give the personal, patient, and

thorough consideration to the many important and complicated questions of law and fact continually arising before him that should be given to them. He must almost entirely rely upon his heads of divisions, who in turn must largely rely upon their subordinates; neither of the latter can always be selected with a view to their legal attainments.

It may be safely premised that no court in the land decides a larger number of difficult and important cases each year than does this bureau. A court especially appointed for that purpose, who should hold daily sessions, would not be more than equal to the task of disposing of the vast amount of business that would properly come before it. Indeed, it has become a necessity that the heads of bureaus should be relieved of the burden of this great labor.

Not only should this be done on account of the impracticability of the labor being properly done by them, considering the great amount of other business daily brought before them, but because of the impolicy of allowing them to do it. The questions arising before this bureau are such that should have the most impartial decision.

The heads of bureaus are the officers of the Government who feel, and as a matter of fact too often act upon the supposition, that they are only the guardians of the public interest. Besides this, they may not always be uninfluenced by a question of responsibility, which has the effect to delay if not defeat the justice due the citizen. The judicial power should be vested in an impartial tribunal, and the Government, like the individual, only be represented before it by an attorney or solicitor.

I can only use space here to suggest the subject and some of the reasons of its notice. This mere suggestion, however, it seems to me, will be sufficient to induce favorable action upon it.

#### REVISED STATUTES.

The attention of the Department is called to the suggestion in my last annual report looking to an amendment of the second paragraph in section 2238, Revised Statutes, page 394, chapter 2, which reads as follows :

Second. A commission of one per centum on all moneys received at each receiver's office.

The necessity for a change in the phraseology was urged in the following terms :

The act of Congress approved April 20, 1818, (Stats., vol. 3, p. 466,) from which the above is taken, answered the purpose for which it was then intended, as at that time no sales were made of the public lands except for cash, and in addition to a yearly salary of \$500, allowed to each register and receiver, they were allowed an additional compensation of one per centum on the moneys received, provided the whole amount did not exceed \$3,000 for any one year.

Since the passage of the act of 1818, the homestead and pre-emption system has been established, and a schedule of fees and commissions adopted, in accordance with the provisions of various laws governing the disposal of the public lands. As the law now reads, incorporated in the Revised Statutes and above quoted, the registers and receivers, aside from the fees and commissions allowed them under the homestead, pre-emption, and other laws, and the one per centum on all cash sales, would be entitled to one per centum on all moneys received, which would include one per centum on their fees and commissions. The second paragraph above quoted admits of such a construction, and has been so construed by some of the registers and receivers, and an attempt made to collect a commission not contemplated by the law.

To remove all doubt as to the meaning of the paragraph in question, I would recommend that it be amended to read :

Second. A commission of one per centum on all moneys received from cash sales at each receiver's office.

## REPAYMENT OF PURCHASE MONEY FOR LANDS ERRONEOUSLY SOLD.

The decision of the honorable Secretary of the Treasury, dated April 20, 1877, "in relation to the use of appropriations for the payment of accrued claims," bears severely upon claimants for refunding of purchase money for lands erroneously sold, whose cases it is made the duty of this office to examine and adjust.

Section 2362 Revised Statutes (p. 435) authorizes the Secretary of the Interior to repay the purchase money in cases of sales of public lands where from any cause the sale cannot be confirmed. Section 2363, recognizing the preferred character of these claims, further authorizes the sale of stocks held in trust where it may be necessary, in order to carry out the provisions of the preceding section.

The Secretary of the Treasury, in the decision referred to, holds that the act of June 20, 1874, (18 Stat., p. 110,) precludes the payment of claims under "permanent annual appropriations," where such claims accrued more than two complete fiscal years prior to the presentation of the adjusted account at the Treasury Department for warrant. The appropriation for refunding money for lands erroneously sold comes under section 3689 Rev. Stat., (p. 733,) making permanent annual appropriations; and under the decision specifying this section there are now in the office of the First Comptroller of the Treasury some thirty cases approved by the honorable Secretary of the Interior in accordance with law, but withheld from final settlement, for the reason that the date of cancellation of sale is more than two complete fiscal years anterior to the date of receipt of the adjusted accounts.

These claims are manifestly so different from most others and possess such peculiar equities that I think the small number and amount of money involved have caused them to be overlooked in the decision of the Secretary of the Treasury. During the fiscal year ending June 30, 1877, 258 of these claims were reported to the Treasury Department, aggregating the sum of \$29,666.19 only. The amount of money to be refunded in each case is never a matter of doubt; the certificate of purchase issued by the register of the land office at date of purchase, together with the receiver's receipt for the money paid, determines that the United States has received a specific sum for a specific tract of land which the Government had contracted to sell, but which sale it was unable to confirm. The only question for determination is as to the party entitled to the return of this money, which, under the law, is decided by the additional legislation asked for.

The custom of this office under the act of January 12, 1825, authorizing repayment of purchase money for lands erroneously sold, has been to report formerly to the Secretary of the Treasury and latterly to the Secretary of the Interior all claims for refunding of excesses charged over the legal price, or any other illegal exactions on the part of the local land officers. These claims have been recognized and approved by the several heads of each Department to the present time, and it is only that now a question arises as to whether under a strict interpretation of the provision of the Revised Statutes, sec. 2362, p. 435, such repayments can be continued. To remove all possibility of doubt on this point, I respectfully suggest that it be recommended to Congress to pass an act amendatory of said section 2362, authorizing the Secretary of the Interior to repay to the original purchaser, or heirs, the amount of any overpayment or illegal exaction in the purchase of public lands. No refunding of such overpayments or illegal exactions to be made to other than

the original purchaser or heirs, except in cases of specific and definite assignment of such claims.

In the same amendatory act I would recommend the extension of the provisions of said section 2362 to embrace cases of deposit by settlers to cover the expense of survey of public lands under section 2403, p. 443, U. S. Revised Statutes.

#### DECISIONS IN LAND CASES.

There is much need of a well arranged digest of the decisions of the Department respecting the public lands, and a current publication of those rendered from day to day, both by this office and the Secretary. In the necessary distribution of work, it is impossible for one person to keep constantly in mind the rulings and decisions affecting every branch of the office, and it is not infrequently the case that conflicting decisions are rendered on important points, causing great mortification to the officials and uncertainty among claimants, as well as difficult modifications and explanations in making proper correction when discovered.

By the appointment of a law clerk for this bureau, something has been done toward securing correct constructions and harmonious rulings, but there being no text book of cases for his guidance, he must necessarily rely for authorities upon such written records of the Department as he may be able to refer to from his personal recollection, or from that of the clerks in charge of the various distributive branches of the office. It would be impossible, therefore, to expect, from his individual efforts, conclusions at all times in harmony with settled decisions of the Department, unless these decisions would be so codified and presented as to make them convenient for his consultation and reference, as well as accessible to the heads of divisions and examiners having the adjustment of important cases immediately in hand.

I had hoped to secure from the last Congress some legislative provision by which the decisions of the Department relating to lands could be officially published, but, in the great press of important matters toward the close of the session, nothing was accomplished beyond the introduction of a joint resolution in the Senate relating to the subject.

That measure has been revived in the present Congress, and its provisions are embodied in Senate joint resolution No. 1, "Authorizing the official publication of the decisions of the Interior Department relating to the public lands." It provides for the designation by the Secretary of the Interior of a suitable person to collate, digest, and prepare for publication from month to month, or quarterly, as he may deem most desirable, such decisions, orders, circulars, and letters, as will fully explain and illustrate the current rulings and practice of the Department in land cases, to be printed by the Public Printer for distribution to parties entitled, and for sale to individuals at a price sufficient to cover the reasonable cost of the same.

In my judgment this measure will supply a much needed want in the administration of the land system, and I hope it may receive the speedy sanction of Congress.

ACT MARCH 3, 1875.

Attention is invited to the error in the description of the land directed to be withdrawn from sale and settlement and granted to the Holy Cross Mission, in the Territory of Dakota, by the act of Congress approved March 3, 1875. (Statutes at Large, vol. 18, p. 519.) Said act describes

the land as situated in sections thirteen and eighteen, whereas it appears that the land referred to is situated in sections thirteen and *twenty-four*. It will be necessary before the grant to said mission can be finally adjudicated that the statute be corrected by striking out the word eighteen in line six and substituting therefor the word twenty-four. I would also suggest that said act be so amended as to direct in specific terms the issue of a patent to said mission.

**RECOMMENDS LEGISLATION AUTHORIZING THE COMMISSIONER OF THE GENERAL LAND OFFICE TO ISSUE COMMISSIONS TO TAKE TESTIMONY IN SUCH CASES AS IN HIS JUDGMENT THE EXIGENCIES OF THE CASE DEMAND.**

It often becomes necessary and important in the adjudication of matters relating to the public land and private land claims in the Territories and some of the sparsely settled public land States, particularly in ascertaining the true location, boundaries, and extent of the various grants and claims, to take the testimony of witnesses residing at points remote from the offices of the surveyors general, whose examination is attended with great delay, trouble, and expense to the parties and the public service and great inconvenience to the witnesses whose attendance may be required. It has been the custom for the surveyors general, in cases where the testimony of distant witnesses is desired to be used before them or for the information of this office, to authorize county clerks or clerks of courts of record to take and return such testimony. But this affords only a partial and very inadequate remedy, the public duties of the officer frequently preventing prompt attention to the matter referred to him, and the distance still being so great in many cases, even when the nearest proper officer is selected, between his office and the residence of the witnesses, as to be a great hardship upon the latter and upon the parties who are compelled, for the protection of their interests, to procure their attendance and examination.

I therefore recommend appropriate legislation authorizing and empowering the Commissioner of the General Land Office to issue commissions to such persons as he may deem fit and proper to take testimony in all cases where, in his judgment, the interests of the service, for the protection of the interests of the Government or the rights of the parties, require it.

**RECOMMENDS THAT PATENTS BE DIRECTED TO ISSUE FOR LANDS LOCATED UNDER THE PROVISIONS OF THE SIXTH SECTION OF THE ACT OF CONGRESS APPROVED JUNE 22, 1860.**

The sixth section of the act of June 22, 1860, (Statutes at Large, vol. 12, p. 85,) provides:

That whenever it shall appear that lands claimed, and the title to which may be confirmed under the provisions of this act, have been sold, in whole or in part, by the United States prior to such confirmation, or where the surveyor general shall ascertain that the same cannot be surveyed or located, the party in whose favor the title is confirmed shall have the right to enter upon any of the public lands of the United States a quantity of land equal in extent to that sold by the Government: *Provided*, That said entry be made only as lands subject to private entry, at one dollar and twenty-five cents per acre, and as far as may be possible in legal divisions and subdivisions, according to the surveys made by the United States.

Pursuant to the provisions of the above section, and in accordance with the mandates of the Supreme Court of the United States, in the cases adjudicated by said court under the provisions of the eleventh



section of said act, there has been issued by this office scrip or certificates entitling the confirmees or their assigns to locate 429,979.16 acres of land.

While the act of 1860 provided for the issue of patents for lands confirmed in place, it will be observed that it fails to provide for the issue of patents for lands located by the aforesaid scrip. The only evidence of title, therefore, that can be obtained to lands located thereby is the certificate of entry issued by the register and receiver of the land office in whose district the location is made, upon the surrender by the holder of the scrip under which the location is made.

In view of the foregoing, I have the honor to recommend appropriate legislation directing the Commissioner of the General Land Office to issue patents for lands located by the aforesaid scrip or certificates of location.

#### SUPERVISION OF SURVEYS.

The first section of the act of Congress approved May 18, 1796, entitled "An act providing for the sale of the lands of the United States in the territory northwest of the river Ohio, and above the mouth of the Kentucky River," provides that—

A surveyor general shall be appointed, whose duty it shall be to engage a sufficient number of skillful surveyors as his deputies, whom he shall cause, without delay, to survey and mark the unascertained outlines of the lands lying northwest of the river Ohio, and above the mouth of the river Kentucky, in which the titles of the Indian tribes have been extinguished, and to divide the same in a manner hereinafter directed; he shall have authority to frame regulations and instructions for the government of his deputies, to administer the necessary oaths upon their appointments, and to remove them for negligence or misconduct in office.

The second section provides for the method of survey; the fourth section for the sale of lands "under the direction of the governor or secretary of the western territory and the surveyor general."

General Rufus Putnam was appointed by the President the first surveyor general of the United States, (northwest of Ohio River,) the public lands being then under the administration of the Treasury Department, and all letters addressed to the surveyor general up to June 17, 1812, were signed by the Secretary of the Treasury.

It will be seen by the foregoing that in the beginning there was but one surveyor general for the whole country. He had authority to appoint competent deputies to assist him in the work. By various acts of Congress, since passed, the number of surveyors general has been increased, and the price per mile been fixed under contract system.

The practical result of the legislation increasing the number of surveyors general has not been such as to commend it to the country, and I am clearly of the opinion that the whole system should now be changed. I suggest and urge this on the ground of economy, and the belief that the work of public surveys would be more faithfully and permanently executed under the direction of one officer. There are now sixteen surveyors general, the maintenance of whose offices will cost during the present fiscal year \$128,609.27, while expending in public surveys only the small sum of \$300,000, being at the rate of about forty-three cents for superintending the expenditure of each dollar.

One surveyor general, employing not to exceed forty clerks, and at a cost not exceeding fifty thousand dollars, could, under the present contract system, if that were to continue, perform all the work in a more satisfactory manner than it is now done at so much greater cost. The reasons why this could be done are obvious to those who will investi-

gate the subject. The salaries of sixteen surveyor generals, the rent of sixteen offices, the fuel and lights for the same, the employment of sixteen chief clerks, each at a salary, in most instances, as great, if not greater, than that received by the principal clerk of surveys of the whole United States, under whose direction and supervision all surveys are made, and by whom the accuracy of all the work is tested, could be dispensed with, and in lieu thereof substitute one surveyor general, one chief clerk, and the necessary number of clerks, as before stated.

The contract system for public surveys should be at once annulled and set aside. All surveys should be made by a regular staff or corps of officers selected by the surveyor general as his assistants on account of their fitness for the service. It should be the duty of such assistants to go into the field and make the surveys in person. If this system were adopted, it would certainly insure better work at less cost than by the present mode. The assistants, working at a fixed salary, would have no motive for doing the work imperfectly, as they might have if under contract, which, in my opinion, is a sufficient reason for saying that the surveys would be made in a more satisfactory manner. There can be no reasonable doubt that surveys made in this manner would cost less than by the present contract method. It is true that the prices now allowed by law are too small to admit of large profits being made in the survey of mountainous or densely timbered lands, if the work be properly done. One reason why this is true is found in the fact that many of the persons surveying under contract are not well skilled in their work, and have not the means of procuring the necessary equipment for camp and field to enable them to do the work in the most economical manner. Most contractors in the Western States and Territories have to pay ruinous rates of interest for money to enable them to go into the field at all, and yet, with all these adverse circumstances to contend against, they make good profits on surveys of arable or level lands.

During the fiscal year ending June 30, 1877, there were expended in the surveys of public lands the sum of \$215,942.42, for which there were surveyed 10,847,082 acres. Add to this the further sum of \$146,933.58 which it cost to maintain the surveyor generals' offices in the sixteen districts where the surveys were made, and it is found that the total cost amounts to \$362,876.

I hazard nothing in saying that under the system of having but one surveyor general and assistants, as proposed, a much larger area could have been surveyed and in a better manner. In many of the surveying districts lines and corners, established only a few years since under the contract system, are entirely obliterated.

It may be urged against this system that it would not be convenient for settlers and others, interested in any district where there are unsurveyed public lands, to procure such surveys as might be desired, if the surveyor general's office in the district were abolished or removed. No such argument can be successfully maintained. The rule is now for the surveyors general to make surveys in such parts of their several districts as they deem best, and all contracts for surveys before they become binding are sent to this office for approval. An order to survey any particular township in any district can be sent to an assistant in less time than a contract could be prepared, sent here, approved, and returned to the surveyor general, all of which must be done before the work can be commenced. I therefore recommend—

First. The consolidation of all the offices of surveyors general into one, which shall be located in Washington.



Second. The abolition of the contract system.

Third. The appointment of a surveyor general of the United States, who shall be authorized to appoint as many assistants as may be required to personally make the surveys as fast as may be deemed necessary or provided for by law.

#### SURVEY OF ISLANDS AND BEDS OF MEANDERED LAKES, SLOUGHS, AND PONDS.

The survey of small islands in navigable meandered waters in the States where the offices of surveyors general had been closed and no appropriation of funds applicable for the purpose had been provided, was authorized by this office in 1868, to be executed at the expense of the applicant.

Office circular of June 10, 1868, (revised December 1, 1874,) embodied the regulations governing such surveys. The applicant is required to describe the particular island requested to be surveyed, with reference to the lines of public surveys adjoining the same, to furnish affidavits of disinterested persons of the existence of such lands, and to deposit the requisite amount to cover the cost of the survey; but with the understanding that the payment for such survey would confer no preference-right in the purchase of the land, such lands when surveyed being held subject to homestead and pre-emption rights under existing laws.

July 13, 1874, a circular was issued prescribing regulations for the survey of beds of lakes, (not navigable,) sloughs, and pounds over which the lines of the public survey were not extended at the date of the original survey, but which from the presence of water at the date of such survey were meandered, but which have become dry land sufficiently for agricultural purposes, by evaporation or from other causes. These regulations were similar in their requirements to those for the survey of islands. Such islands and beds of lakes, sloughs, ponds, or bayous were held to be public lands, the property of the United States.

The regulations embraced in these circulars were not new in their substance, but were simply a formulation of the pre-existing practice of the office theretofore administered with reference to the class of lands to which they were applicable.

I found surveys which had been made under these instructions pending before the Department when I assumed my present official position, and have permitted them to be treated, as was contemplated by the instructions, as a matter of good faith to parties interested; but after a careful consideration the conclusion is reached that not only is there no specific enactment which authorizes this action as set forth in the instructions above referred to, but there is grave doubt whether the United States has any claim to such islands or dried up lake beds, and whether they do not come under the sovereignty of the States respectively within the limits of which they are situated, and it was therefore determined that such surveys should not further be authorized. Aside from this question of title there are many other important considerations connected with this subject. It is impossible, from anything in the possession of this office, to arrive at anything like a correct computation of the number of these islands and surveyable lake beds; but there is sufficient to warrant the statement that the number is quite large and is constantly increasing. They are often found in localities which, from nearness to growing cities or villages, or from being within thickly and long settled neighborhoods, gave them a high value, and they became, as this office has had experience, objects of contention and strife, and affect the interests of whole

communities. The labor that will be imposed upon this office if the past system should be continued, would be very great, and I therefore am of the opinion that let the title rest where it may, Congress should pass an act transferring any title the United States may possess to the respective States, when such lands can become subject to the operation of State laws. The whole subject is worthy the attention of Congress, and indeed both public and private interests require its early attention.

ADJUSTMENT OF SWAMP LAND GRANTS UNDER THE ACT OF CONGRESS APPROVED MARCH 2, 1849, SEPTEMBER 28, 1850, AND MARCH 12, 1860.

The act of September 20, 1850, has been held by the Supreme Court to have been a present grant. The act provides that it shall be the duty of the Secretary of the Interior to make accurate lists and plats of the same, and transmit them to the governors of States, and at their request to issue patents therefor. The provisions of the law have not been fully carried out, nor have the grants to the several States been adjusted. Lapse of time makes the adjustment more difficult. Many States are demanding their rights under the act, and, at the present rate of settlement, years must elapse before the swamp and indemnity lands can be ascertained.

The quantity of land selected for the several States under the acts of March 2, 1849, September 28, 1850, and March 12, 1860, is 67,683,045.76 acres; of this quantity 51,315,355.59 acres have been approved, and of the approved selections 47,923,306.91 acres have been patented. There remains of the approved lands 3,392,048.68 acres to be patented, and of the selected lands 16,367,690.17 acres remain to be approved and patented.

Under existing regulations of the Department these lands, which are distributed among the States from Florida to Oregon, must be examined in the field before approval. Many years must elapse before this can be done, unless Congress will appropriate money for a larger clerical force. I have now but one agent in the field, and have to pay his expenses out of the contingent fund of the bureau. There should be at least forty efficient men engaged on this work. The extent of the grant should be ascertained at the earliest possible date, and the lands passing under the grant should be conveyed to the several States.

I therefore recommend that you call special attention of Congress to this matter, and urge an appropriation sufficient to insure a speedy adjustment of this grant.

LAPSED RAILROAD GRANTS BY REASON OF NON-COMPLETION.

A large number of grants for railroad purposes have expired by limitation, the roads for whose benefit they were made not having been constructed within the period prescribed by law; and I desire to invite attention to this subject which, though deserving of special consideration, has never heretofore been presented to Congress.

Most, if not all, grants contain clauses limiting the time within which the work of building the roads shall be performed, and recite that in the event of a failure on the part of the companies to comply with the conditions imposed, the "lands shall revert to the Government." A case involving this question was brought to the Supreme Court from Wisconsin, and that body, at its October term of 1874, declared that such clause, to wit, "the lands unsold shall revert to the Government," (if

the road be not completed,) is a condition subsequent, being in effect a provision that the grant to the extent of the lands unsold shall be void if the work designated be not done within the period prescribed.

After some discussion as to the manner in which the reserved right of the grantor for breach of the condition must be asserted, so as to restore the estate, the court say: "In the present case no action has been taken either by legislation or judicial proceedings to enforce a forfeiture of the estate granted." (*Schulenberg et al. vs. Harriman*, 21 Wall., 44.)

It will, therefore, be seen that provisions for reversions are conditions subsequent, and cannot operate until a declaration of forfeiture, either by some judicial proceedings authorized by law, or by legislative assertion of ownership on the part of the United States; and if this be not enforced, the title remains unimpaired in the grantee.

I append hereto a tabular statement showing the grants in this condition, the dates on which they were made, with reference to the acts of Congress by volume and page of the statutes; the road for whose benefit they were made; the States or corporations to which granted; the date of expiration of the grant by limitation of statute; the estimated quantity of lands which would inure to the State or corporation under the grant if road had been completed in due season, and which had been withheld from ordinary disposition; the number of miles of line constructed; the approximate quantity of lands which the State or corporation has earned under the grant by partial completion of the road, and the quantity patented or certified under the grant up to June 30, 1877.

The roads named in the list were uncompleted at the date of the expiration of their respective grants, so far as this office has been advised, and most of them remain in that condition. Great bodies of land which have not been earned, and which of course cannot be patented to the States or corporations under the grants, are withheld from sale or entry, and there is no manner now by which settlers can acquire title to them. The companies cannot sell, and this office has no authority to recognize appropriations made under the various laws.

I think it important that some action should be taken by Congress, looking either to the enforcement of the forfeiture of the grants or extending the time for the completion of the roads. If the latter course should be pursued the claims of *bona fide* settlers who have gone upon the lapsed lands in large numbers, and whose entries thereof have, in many instances, been permitted by the district officers, should be recognized, protected, and confirmed. As their cases now stand there is but one course for this office to pursue in passing upon such claims and entries, and this works great hardship, which should be avoided as a simple matter of justice in case the grants are resuscitated and extended.

I, therefore, recommend that the attention of Congress be specially called to this subject, and that legislation thereon be urged.

Below is a list of the companies, together with the date of the act granting the lands, expiration of the time allowed for completion of the road, quantity granted, &c.

*List of railroad land grants which have lapsed by reason of non-com*

Name of railroad.	States in which located.	Grant by act—				Grant to—	Alternate sections within—
		Approved—		Stats.			
				Vol.	Page.		
Gulf and Ship Island .....	Mississippi ..	Aug.	11, 1856	11	30	State .....	6 miles..
Alabama and Florida .....	Alabama and Florida.	May	17, 1856	11	15	States .....	6 miles..
Cocosa and Tennessee .....	Alabama .....	June	3, 1856	11	17	State .....	6 miles..
Mobile and Girard .....	do .....	June	3, 1856	11	17	do .....	6 miles..
Cocosa and Chattanooga .....	do .....	June	3, 1856	11	17	do .....	6 miles..
*Alabama and Chattanooga, formerly North-east and Southwest Alabama, and Wills Valley Railroads.	do .....	June	3, 1856	11	17	do .....	6 miles..
Pensacola and Georgia .....	Florida .....	May	17, 1856	11	15	do .....	6 miles..
Florida, Atlantic and Gulf Central .....	do .....	May	17, 1856	11	15	do .....	6 miles..
North Louisiana and Texas, formerly Vicksburg, Shreveport and Texas Railroad.	Louisiana .....	June	3, 1856	11	18	do .....	6 miles..
New Orleans, Baton Rouge and Vicksburg .....	do .....	Mar.	3, 1871	16	579	Company .....	20 miles..
Saint Louis and Iron Mountain .....	Missouri .....	July	4, 1866	14	83	State .....	10 miles..
Little Rock and Fort Smith .....	Arkansas and Missouri.	{	Feb. 9, 1853	10	155	States .....	6 miles..
	Missouri.	{	July 28, 1866	14	338	do .....	10 miles..
Detroit and Milwaukee .....	Michigan .....	June	3, 1856	11	21	State .....	6 miles..
Houghton and Ontonagon, formerly Marquette and Ontonagon.	do .....	{	June 3, 1856	11	21	do .....	6 miles..
		{	Mar. 3, 1865	13	521	do .....	10 miles..
North Wisconsin, formerly Saint Croix and Lake Superior and branch to Bayfield.	Wisconsin .....	{	June 3, 1856	11	20	do .....	6 miles..
		{	May 5, 1864	13	66	do .....	10 miles..
Wisconsin Central, formerly Portage, Winnebago and Superior.	do .....	May	5, 1864	13	66	do .....	10 miles..
Saint Paul and Pacific, Saint Vincent extension, formerly branch to Red River of North.	Minnesota ...	{	Mar. 3, 1857	11	195	Territory .....	6 miles..
		{	Mar. 3, 1865	13	526	State .....	10 miles..
Saint Paul and Pacific, Brainerd branch, formerly branch to Lake Superior.	do .....	{	July 12, 1862	12	625	do .....	6 miles..
		{	Mar. 3, 1865	13	526	do .....	10 miles..
Hastings and Dakota .....	do .....	July	4, 1866	14	87	do .....	10 miles..
Oregon Central .....	Oregon .....	May	4, 1870	16	94	Company .....	20 miles..
†Atlantic and Pacific .....	Various .....	July	27, 1866	14	292	do .....	Various..

\* It is understood by this office that the Alabama and Chattanooga Railroad was completed within the time for the completion of the Atlantic and Pacific Railroad does not expire until July 4, of the act of July 27, 1866.

pletion of roads within periods prescribed by acts making the grants.

With indemnity within —	Expiration of grant by original act.	Extended by act—		Expiration of grant by extending act.	Estimated quantity of lands granted.	Length of road completed before expiration of grant.	Estimated quantity of lands earned prior to expiration of grant.	Quantity certified or patented up to June 30, 1877.
		Approved—	Stats.					
			Vol. Page.					
15 miles	Aug. 11, 1866	.....	.....	.....	<i>Acres.</i> 652,800.00	None	<i>Acres.</i> None	<i>Acres.</i> None
15 miles	May 17, 1866	.....	.....	.....	419,520.00	45 miles.	172,300.00	394,522.99
15 miles	June 3, 1866	.....	.....	.....	132,480.00	None	None	67,784.96
15 miles	June 3, 1866	.....	.....	.....	840,880.00	None	None	504,145.86
15 miles	June 3, 1866	.....	.....	.....	150,000.00	None	None	None.
15 miles	June 3, 1866	Apr. 10, 1869	16 45	Apr. 10, 1872	897,920.00	None reported.	Not known	552,199.10
15 miles	May 17, 1866	.....	.....	.....	1,568,729.87	None	None	1,275,212.92
15 miles	May 17, 1866	.....	.....	.....	183,153.99	None	None	37,583.29
15 miles	June 3, 1866	.....	.....	.....	610,880.00	94 miles.	360,960.00	353,211.70
30 miles	Mar. 3, 1876	.....	.....	.....	3,800,000.00	None	None	None.
20 miles	July 1, 1871	.....	.....	.....	640,000.00	None	None	None.
15 miles	Feb. 9, 1863	.....	.....	.....	1,009,296.34	120 miles.	768,000.00	916,716.44
20 miles	July 22, 1876	.....	.....	.....	355,420.19	None	None	37,427.43
15 miles	June 3, 1866	June 18, 1864	13 137	June 3, 1871	552,515.24	None	None	432,707.47
20 miles	June 3, 1871	May 20, 1868	15 252	Dec. 31, 1872	1,408,455.69	None	None	843,458.95
15 miles	June 3, 1866	May 5, 1864	13 66	May 5, 1869	1,800,000.00	230 miles.	1,472,000.00	443,823.16
20 miles	May 5, 1869	Apr. 9, 1874	18 28	Dec. 31, 1876	2,000,000.00	140 miles.	896,000.00	780,291.75
15 miles	Mar. 3, 1867	Mar. 3, 1873	17 631	Dec. 3, 1873	4,475,000.00	73 miles.	467,200.00	537,842.42
20 miles	Mar. 3, 1873	June 22, 1874	18 203	Mar. 3, 1876	550,000.00	70 miles.	448,000.00	169,790.81
15 miles	Mar. 3, 1867	Mar. 3, 1873	17 631	Dec. 3, 1873	1,200,000.00	47½ miles.	608,000.00	None.
20 miles	Mar. 3, 1873	June 22, 1874	18 203	Mar. 3, 1876	42,000,000.00	125 miles.	1,600,000.00	504,536.60
20 miles	July 4, 1876	.....	.....	.....	.....	.....	.....	.....
25 miles	May 4, 1876	.....	.....	.....	.....	.....	.....	.....
.....	July 4, 1878	.....	.....	.....	.....	.....	.....	.....

period prescribed, but no evidence thereof has been filed as required by the granting act.  
1878, the grant is liable to forfeiture for breach of the conditions imposed by the 8th and 9th sections

## TIMBER DEPREDACTIONS.—TIMBER LANDS.

In my annual report to you of last year, attention was called to the subject of depredations upon the timber on the public lands of the United States. The vast extent of these depredations and the great loss to the Government were represented, and recommendation was made for legislation by Congress to enable the survey, appraisement, and sale of the timber lands of the United States, but no legislation was enacted by Congress upon this subject.

A brief history of past action is as follows:

The first action by this Department in regard to depredations on the public lands was by the appointment of what were termed "timber agents." No law of Congress is referred to in these appointments, and it is presumed that the Secretary of the Interior made them as incident in the performance of his duty in protecting that portion of the public property coming under his jurisdiction. No appropriation was made for their payment, but they were instructed that their compensation and expenses would be paid from the proceeds of their agencies, if sufficient for that purpose, and if not, the residue out of the judiciary fund. They were instructed that the proceeding would be by indictment, or by seizure under proper process of the timber or lumber cut, and their sole duty under their instructions was to obtain and furnish information to the United States district attorney or marshal, as the case might require. The Solicitor of the Treasury is authorized by law "to instruct the district attorneys, marshals, and clerks of the circuit and district in all matters and proceedings appertaining to suits in which the United States is a party or interested, \* \* \*," (Stat. vol. 4, p. 415, sec. 379; Revised Statutes, U. S., p. 62,) and he was advised of the appointment of timber agents and of their acts, he gave them instructions, and he also instructed the United States district attorneys and marshals to render to these agents any aid and co-operation in their power.

With letter dated January 19, 1854, from George C. Whiting, chief clerk of the Department, all of the letters and other papers that had theretofore been filed in the Department in relation to depredations committed upon the public lands of the United States were transmitted to this office, with the remark that—

The fact that many questions, intimately connected with the disposition of the public lands, are necessarily involved in the adoption of proper measures for the protection of the public property thereon, has induced the Secretary to commit the whole subject to your sound judgment and discretion as the public officer who from position and experience in such matters is most properly chargeable therewith.

Under date of January 28, 1854, a circular was issued by the Commissioner of the General Land Office to timber agents; also another, dated March 4, 1854. At the last date there appears to have been four of these agents, viz, two in Michigan, one in Wisconsin, and one in Iowa. These circulars, in addition to the duties prescribed in the appointments by the Secretary, contained instructions that the timber agents could seize and sell timber cut from the public lands independently of the marshal or of legal process. Under date of December 24, 1855, a circular was issued by this office to registers and receivers, in which it is stated that—

The Secretary of the Interior has concluded to change the present system of timber agencies, and to devolve the duties connected therewith upon the officers of the local land districts. By his direction, therefore, you will, upon the receipt of these instructions, take charge of the timber business within the limits of your land district, as a part of the general duties of your office; and it is accordingly hereby assigned to you as such, with the understanding that hereafter it is to be considered and held as a proper incident to, and, in fact, a part of, your general duties, covered and satisfied by the salary which the law provides for your respective offices.

Following this there are quotations from opinions of Attorneys General, showing the right of the United States to protect the property belonging to them. A law and decision of the Supreme Court of the United States are also cited. The law cited is the act of March 2, 1831, entitled "An act to provide for the punishment of offenses committed in cutting, destroying, or removing live oak or other timber or trees reserved for naval purposes." (4 Stat. L., 472.) This act, as amended by act of July 10, 1832, (4 Stats., 572,) is embraced in and continued in force by sections 2461 and 2462, p. 453, and section 4751, p. 932, of the Revised Statutes of the United States.

The act of March 2, 1831, consisted of three sections, which, as amended, correspond with the three sections of the Revised Statutes mentioned. The first section provides a fine for cutting or removing timber from the lands of the United States of "not less than triple the value of the tree or trees or timber so cut, destroyed, or removed," and imprisonment for not exceeding twelve months. The second section provides for the forfeiture of the ship or vessel and tackle, apparel, and furniture for taking on board timber unlawfully cut, and for fine of captain for exporting same. The third section provides that the penalties and forfeitures incurred under the first and second sections—

Shall be sued for, recovered and distributed, and accounted for, under the directions of the Secretary of the Navy, and shall be paid over, one-half to the informer, if any, or captors, where seized, and the other half to the Secretary of the Navy, for the use of the navy pension fund; and the Secretary is authorized to mitigate, in whole or in part, on such terms and conditions as he deems proper, by an order in writing, any fine, penalty, or forfeiture so incurred.

The decision of the Supreme Court cited is that of *The United States vs. Ephraim Briggs*, (9 Howard, p. 351,) in which it is held that the true construction of the act 2d March, 1831, is that it extends not only to the cutting of timber reserved for naval purposes, but to "other timber," and that the cutting and using of any other description of timber trees from the public lands would be equally indictable under this act.

This case was first before the Supreme Court in 1847, (5 Howard, p. 208,) and was, therefore, instituted before the creation of this Department—(Act March 3, 1849, 9 Statutes, 395, provides for Interior Department,) but under what supervision I am not advised.

The circular of December 24, 1855, looks to an enforcement of the act of 1831. The 6th section contains the following: "In the enforcement of the said act of 1831 you should be careful," &c., but I am not able to state in how many instances the enforcement of this act through the courts has been induced by the action of registers and receivers. I find that with letter dated August 19, 1870, the receiver of the land office at La Crosse, Wis., forwarded the claim of C. C. Miller for \$96, being for compensation, at \$3 per day, for thirty-two days spent in attendance at court on occasion of the trial of a trespass on public timber. In this case the trespasser, Andrew Scott, was sentenced to thirty days' imprisonment, and to pay a fine of \$1,500 and costs of suit. Mr. Miller, in submitting his account, says:

I have been advised to make application for half the fine under the law, which gives one-half the fine to the informer, but do not see my way clear to do that, as I was acting as Government agent, and only did my duty in following up the case.

And the receiver says:

Mr. Miller, on the trial, was something more than a witness; he was, as we believe, the active agent during the trial, who marshaled the evidence for the prosecution and greatly aided in bringing the criminal to justice. Although he received pay as a witness, (which pay would not nearly pay his board,) both the register and myself think this additional amount of \$3 a day should be allowed him.



In letter dated May 11, 1871, to the register and receiver at La Crosse, Wis., this office made expression as follows in regard to Mr. Miller's claim:

By the 10th section of the circular of 24th December, 1855, the register and receiver, as timber agents, are authorized in certain cases to appoint a deputy to investigate and report the facts involved in any supposed case of trespass, and allow as compensation a per diem of \$3 for time actually employed and mileage at the rate of ten cents per mile for distance actually traveled, but this does not authorize payment for time spent in attendance at court as a witness or in marshaling evidence for the prosecution, which properly forms no part of the duty of a deputy timber agent authorized to be appointed and compensation as aforesaid, and the present claim of Mr. Miller cannot, therefore, be allowed.

From the date of the circular, December 24, 1855, to May 2, 1877, it has been sent to registers and receivers to govern their action, and has purported to be the governing rule, with exceptions as follows, viz:

1. In Minnesota, the duties prescribed by the circular were transferred from the register and receiver for one land district, February 6, 1862, and afterward for all the State, to the surveyor general, and so continued until July 21, 1876, when they were again imposed upon the registers and receivers.

2. The fourth section of this circular is as follows:

Under no circumstances will you compound or compromise with any such trespassers, or receive any pay or compensation from them as acquittal or discharge therefrom, or in any other manner; neither will you give any permission to cut timber or otherwise trespass on the public lands, as there is no authority for any such proceedings; but all such offenses against the law must be prosecuted and tried by the authorities duly constituted for that purpose.

Notwithstanding this direction in the circular, it appears that from time to time, commencing in 1860, compromises, with the assent of the Secretary of the Interior, were made with parties who had cut timber upon the public lands. In letter to this office dated March 7, 1860, the Secretary of the Interior authorized compromise on the following terms, viz: Entry of the land upon which the timber was cut; payment of fifty cents per thousand feet, together with all the expenses incurred in making the seizure; and in letter of 16th of January, 1862, to this office, the Secretary remarks in regard to the opinion of the United States district attorney for Minnesota, which was to the effect that all settlements by way of compromise should be rejected, and offenders should be prosecuted and full penalty exacted, that—

The subject is one of interest, and not free from embarrassment. I do not concur with the district attorney in the opinion that no settlement is to be made with trespassers. It appears to me that the main object proper to be kept in view, should be to make the timber produce to the Government the price of the land.

Subsequently the Secretary concluded that settlement with trespassers on the basis of entry of the land, payment of fifty cents per thousand feet and costs attending the seizure would be satisfactory. In course of time, owing to the fact that the lands from which the timber was taken were not subject to cash entry, or suitable for cultivation, and from other causes, the instructions for compromise came to be "a reasonable *stumpage* according to the market value of the timber cut, at a minimum in no case of less than two dollars and fifty cents per thousand feet and costs."

As showing the position which had been assumed by this bureau on the subject of timber on the public lands, I quote the following from the annual report of Commissioner Edmunds for 1864:

Under authority of law and judicial decisions, this office has put in operation repressive measures against the spoliation of the timber on the public lands. These

measures have extended to Michigan, Wisconsin, Minnesota, Dakota, Kansas, California, Oregon, Washington, and Nevada. Wherever the trespass has actually taken place, but found not to be willful but through ignorance, it has not been the policy of the Department to pursue the offenders in a vindictive spirit; but when the lumber has been taken from offered land, simply to require the actual entry of the premises and payment of costs. In the case of unoffered or unsurveyed land, we have enforced the payment of a liberal stumpage. Where timber is scarce, as in the case of Nevada Territory, we have issued stringent orders to the district land officers, and to the following effect: The importance of a supply of timber when timber is so scarce would seem to invoke protection in order to preserve it and prevent waste; but as the timber is chiefly to be found in the mountain slopes, on land not adapted to agriculture, it becomes a question as to what extent restriction upon its enjoyment shall be imposed on settlers in the Territory. In the case of pre-emptors and homestead settlers on lands fit for tillage, they are restricted to timber growing on the land for purposes of building, fencing, repairs, and firewood. Neither pre-emptor nor homestead settler can cut timber for sale until the former has made entry, and the latter resided five consecutive years on the land. Where land settled and pre-empted is destitute of timber, in that case the party must, *ex necessitate*, be permitted to take timber from the mountain slopes, but solely for domestic use, otherwise Nevada plains would be unsettled.

Should parties file for mountainous land, not fit for cultivation, in order to cut and sell the timber, the register and receiver are directed to cause it to be seized and sold, for by so doing they would to some extent protect mill owners from the exactions of speculators.

Persons who have invested in saw mills, and are reaping large profits from the necessities of the settlers, must pay a reasonable tariff per one thousand feet of timber sawed, as stumpage, say not less than one-sixth the value per one thousand feet of the manufactured lumber at the mill. This would be moderate, in view of the great demand for timber in the Territory, and but consistent with honest principles, that a compensatory return should be made for the timber.

In order to effect such an arrangement, the land officers are authorized to consult the United States district attorneys as to the best mode of securing a revenue from the timber, payable quarterly, on each and every thousand of feet sawed at the respective mills, or used as cordwood, hewn timber, or other description of timber, on a sworn statement of the number of feet taken. Should the "mill" owners, "cordwood," "hewn timber," or "other timber" holders refuse to enter into such stipulation, the register and receiver are directed to advise them that the timber is public property and liable to seizure; and where the negotiation with them is not satisfactory, the register and receiver must promptly seize any timber cut upon the public lands.

The policy pursued has been quite efficient in mitigating the evil, and that, too, not only without any cost to the Government, but leaving the avails of seizure in the Treasury of over ten thousand dollars.

Similar practice was afterward authorized in the Territory of Utah.

This practice of collecting stumpage became universal, and on my coming into office, June 26, 1876, I found that it was uniformly the custom in all parts of the United States and Territories, where there was timber growing upon the public lands, and it so continued until the attention of the Department was called to it, and the acting Secretary of the Interior, under date of July 17, 1876, directed that the local officers be required to obtain the approval of the Department before compromising any case. As indicated in the quotation made from the report of 1864, and from other information in possession of this office, the cutting and removal of timber appears to have been, in many cases, by previous agreement with the officials.

In letter of August 22, 1876, J. H. Baker, esq., surveyor general for Minnesota, remarks as follows, in regard to settling timber cases in that State:

In using the term "settlements," it is not understood by this office that the parties charged with trespass are in any way acquitted or discharged from any offense against the law, and is, therefore, in no sense a compromise of any criminal act. As a rule, the parties committing the trespass are irresponsible, and it proves to be quite difficult to trace the logs to the parties purchasing. When so traced they are generally in the hands of responsible parties, believed to be innocent purchasers, and settlements, with deferred payments, are made by the purchaser assuming the stumpage due the Government, at dates on which they had agreed to pay the original holders. These adjustments are acceded to to save absolute loss.

3. Prior to 1872 the collections made for stumpage or sale of timber were carried to the credit of the judiciary fund, and the agents deputed by the registers and receivers were paid from this fund; but it having been decided that this could no longer properly be done, the first appropriation for paying expenses of suppressing depredations on the public timber was the appropriation of \$10,000, June 10, 1872, (Stats., vol. 17, p. 659.)

Since that there have been annual appropriations for the purpose, as follows: March 3, 1873, \$8,000, (vol. 17, p. 517;) June 23, 1874, \$5,000, (vol. 18, p. 213;) March 3, 1875, \$5,000, (vol. 18, p. 384;) July 31, 1876, \$5,000, (vol. 19, p. 122;) March 3, 1877, \$5,000, (vol. 19, p. 349;) and the agents deputed by the registers and receivers have been paid from these appropriations for their services and expenses until January 9, 1877, when the following circular letter was issued to registers and receivers:

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
*Washington, D. C., January 9, 1877.*

REGISTER and RECEIVER:

GENTLEMEN: I have to direct that, on receipt hereof, you report to this office whether or not you have, or have had, any deputy timber agents employed under the 10th section of the circular of December 24, 1855; if so, give the name of any such deputy, the date of his employment, and how long his services will probably be required; also the amount of liabilities you have incurred up to date as timber agents under that circular.

In future employ no deputies without specific authority therefor first obtained from this office.

Very respectfully,

J. A. WILLIAMSON,  
*Commissioner.*

A statement of these facts was made to the Department January 24, 1877, with the conclusion, after a review of the whole subject, that there were no practical results in the way of suppression of depredations or collection of values through the registers and receivers; the total amount of money deposited in the Treasury on account of timber trespass from the 1st of January, 1856, being the beginning of our records upon the subject, to that date being \$199,998.50, and the total amount paid out for service rendered and expense during the same period \$45,624.76, leaving a balance net to the United States, if no appropriation had been made, of only \$154,373.74, being a little more, if any, than the value of timber on five thousand acres of good pine land. The recommendation was made that thereafter the registers and receivers should no longer take charge of the timber business, but, so far as the limited appropriation would defray the expense, special agents should be appointed by this office to act in the premises.

Section 453, Revised Statutes of the United States provides that—

The Commissioner of the General Land Office shall perform, under the direction of the Secretary of the Interior, all executive duties appertaining to the surveying and the sale of the public lands of the United States, and in anywise respecting such public lands. \* \* \*

It is held by the Supreme Court in the case of the United States vs. Cook, (19 Wallace, 591,) that "the timber while standing is a part of the realty, and it can only be sold as the land could be, and unless lawfully cut will remain the property of the United States."

The appropriation available at that time, that of July 31, 1876, which is, along with other appropriations, to be expended under the direction of the Commissioner of the General Land Office, was made in the following language: "To meet expenses of suppressing depredations upon

the public lands, \$5 000." It was thought that in view of these provisions of law authority existed for the appointment of special agents by this office.

The Department, under date of the 5th of April last, concurred with this office that the system heretofore adopted had failed to accomplish the desired purpose, and approved the action in discontinuing it and in employing special agents, and directed as follows :

First. That hereafter all agents employed for this purpose be employed by you, and borne on your rolls as clerks or employes; that they be detailed for special duty to act under your instructions in ascertaining when, where, and by whom depredations have been committed upon the public lands, and to report to you the facts in each case.

Second. If, upon an examination of the reports so obtained, you find that the facts elicited in any case warrant the commencement of legal proceedings to punish the trespassers, or to collect damages for the waste already committed, or both, you will report the same to this Department with your opinion thereon, in order that such further proceedings may be had in the premises as the case may require.

Third. No agents employed by you will be permitted to make any compromise for depredations on the public lands, but if any propositions for settlement are submitted to them you will instruct them to report the same to you with a full statement of the facts in the case, showing the nature and extent of said depredations, when and by whom committed, the amount and value of the timber when cut, and the value of the land in its present and former condition, all of which, together with your opinion thereon, you will transmit to this Department for further consideration.

Fourth. If, in any case, the emergencies should seem to require more prompt action than is contemplated in the above directions, in order to arrest the offender or to secure the Government for the damages suffered, you will instruct your agent to apply to the United States district attorney for the district in which the waste was committed, to institute the proper legal proceedings for that purpose. This course, however, must be taken only in cases where the evidence is clear and indisputable.

In the execution of this direction the following circular was prepared and sent to all the registers and receivers :

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
Washington, D. C., May 2, 1877.

TO REGISTERS AND RECEIVERS of *United States land offices* :

GENTLEMEN: The Secretary of the Interior has concluded to change the method formerly adopted for protecting the timber on the public lands, by which you were made agents for that purpose within the limits of your respective land districts, as per circular of December 24, 1855. Pursuant to directions from him of the 5th ultimo, the instructions of that circular are hereby revoked.

Hereafter, as it may be found advisable, from time to time, for the end in view, clerks or employes will be detailed from this office to act under instructions of the Commissioner in ascertaining when, where, and by whom depredations have been committed upon the public lands, and to report to him the facts in each case.

If, upon an examination of the reports so obtained, the Commissioner finds that the facts elicited in any case warrant the commencement of legal proceedings to punish the trespassers, or to collect damages for the waste already committed, or both, he will report the same to the Secretary of the Interior, with his opinion thereon, in order that such further proceedings may be had in the premises as the case may require.

The clerks or employes detailed as aforesaid will not be permitted to make any compromise for depredations committed on the public lands. If any propositions are submitted to them with that object, they will be required to report the same to this office, with a full statement of the facts in the case, showing the nature and extent of said depredations, when and by whom committed, the amount and value of the timber when cut, and the value of the land in its present and former condition, all of which, together with the opinion of the Commissioner, will be submitted to the head of the Department for further consideration.

If, in any case, the emergencies should seem to require more prompt action than is contemplated in the rules above indicated in order to arrest the offender, or to secure the Government for the damages suffered, it will be the duty of the clerk or employe detailed to act in the matter to make direct application to the United States district attorney for the district in which the waste was committed, to institute the proper legal proceedings for that purpose. This course, however, must be taken only in cases where the evidence is clear and indisputable.

The foregoing is communicated for your information. You will observe therefrom

that you are not hereafter to act as agents for the protection of the public timber, although your co-operation is expected whenever you may be called on to render assistance to officials charged with the duty.

Very respectfully,

J. A. WILLIAMSON,  
*Commissioner.*

Further report upon the subject was made by this office to the Department under date of the 16th August, in which it is proposed to use from the contingent fund of this office seven to ten thousand dollars in addition to the appropriation above referred to, in defraying the expense of persons to be appointed and borne on the rolls of this office to detect timber trespass.

A division of the States having public lands into districts was recommended, and that one clerk be detailed to take charge of the division, and others to act under his direction. These recommendations met with the approval of the Department, which was communicated under date of the 18th August last, and in accordance with this and the authority of the Department letter of April 5, 1877, heretofore mentioned, as many persons as the funds available would warrant have been detailed and have been appointed, and sent to the various localities where depredations were supposed to exist.

The persons sent to Minnesota and Louisiana have been longest in the field, and have been most successful in their efforts. In Louisiana over 100,000 logs have been seized under civil process issued by the United States court, and 92,710 have been sold by the United States marshal; 17,980 of these logs were sold to outside parties, realizing \$10,901.55, and 74,730 were bought in on behalf of the Government, at a cost of \$9,898.16, to prevent them from being sold at a sacrifice, a combination having been made to prevent competition, and these are now held until a sufficient price can be obtained for them. Other operations, extensive in their nature, are in course of process in Louisiana and other Southern States.

The clerks detailed as special agents to detect timber trespassers in the State of Minnesota have reported to date 61,708,564 feet (board measure) of white pine logs cut and removed from the vacant public lands in that State, 56,957,808 feet of which were cut and removed between the years 1868 and 1876, and for which no stumpage appears to have been collected. It is believed that parties who handled the logs are willing, in order to avoid litigation, to compromise for this trespass according to the custom then in force under instructions from this office, which, at the rates of stumpage charged in these years, would place in the United States Treasury about \$161,000, net, and save expense of suits. The balance of trespass, 4,751,756 feet, was cut and removed from the public lands in Minnesota and Wisconsin, and under instructions from this Department twenty-nine civil suits were instituted at the last term of the United States district court at Saint Paul, Minn., against the trespassers. The jury returned verdicts in nineteen cases in favor of the Government for the value of the logs in the booms. In six others, demurrers to complaints were overruled, with leave to answer. Of the remaining four, three were too late for term, and one continued on motion of the United States district attorney. Twenty-five indictments were found by the grand jury, and trial and conviction were had in one case. Pleas of guilty were entered in three cases, and all the rest have been transferred to the United States circuit court which convenes next December. Most of the transfers were ordered by the court on account of various difficult questions of

law arising. For the same reasons, sentence of those convicted was suspended until after term in circuit court. Fourteen civil actions are all ready for trial in December, with more to be commenced. Four of the district court cases were taken to circuit court on writ of error. In several instances trespassers have surrendered the logs without suit.

For several years a system of depredations upon the Red River of the North and on the Missouri has been going on, and numerous complaints having been made to the officers of the Government, urging that steps be taken to put a stop to this trespassing, an investigation was had, and twenty-two cases of trespass reported. The evidence in each case is complete, and criminal suits will be instituted in the United States district court for the district of Dakota at its next term. In Minnesota about 3,000,000 feet of white pine logs were seized by the United States marshal and placed in booms in the Mississippi River, near Minneapolis. The logs were appraised by an expert, and bids have been received for them, varying from \$4.75 to \$5.50 per thousand feet. The bids have been approved by the United States district attorney, and in some cases the marshal has already issued orders for delivery of logs to the purchaser.

Extensive suits have been commenced in Colorado against individuals, and railroad and mining companies who have used timber cut from the public lands. The reports from Utah, Montana, Arizona, and the States and Territories on the Pacific coast fully confirm the previous reports of the very extensive depredation on the public lands.

I feel warranted in saying that the Government will realize, in round numbers, \$100,000 from the suits already instituted for timber depredation. In the mining regions of the West this timber is an actual necessity, not only for the extensive smelting and other works connected with mining, and for propping mines, but for the fuel actually required by the inhabitants. It is impossible for them to purchase as at present situated, the majority of the land not having been surveyed, and the majority of it not being adapted to agriculture, it cannot be taken honestly under existing laws.

The effort that is now being made as has been defined by the Department, is "not only to bring money into the public treasury, but to put an end to timber depredations on the public land. To this end it is above all things necessary that the depredators be effectually deprived of every possibility of deriving any benefit from the wrongful acts they have committed." For this reason no compromises are allowed which will permit logs seized to pass into the possession of depredators with any chance of profit; the current price of logs at the place where they are held is to be insisted upon, and the parties who have hitherto carried on these depredations with profit are to be made to "understand that in attempting to steal timber from the public lands they will in any event lose the value of their labor and their expenses, and expose themselves to criminal prosecution," such prosecutions to "be not confined to those mostly poor persons who actually cut timber on public lands with their own hands, but that they be directed as well and principally against the parties who are found to have organized and directed the stealing of timber on the public lands on a large scale, and derived from that criminal practice the greatest profit."

As has been stated, as large a number of persons as the small fund available would warrant have been appointed and detailed to investigate in regard to trespass on the public lands, and to collect and furnish testimony in regard to the same. This fund is being rapidly exhausted, and unless Congress shall speedily appropriate for this purpose, the



special agents who are now in the field will have to be withdrawn. I am satisfied that any amount that may be appropriated will be speedily reimbursed tenfold. It will be some time before the timber lands can to any great extent be made available if legislation is speedily enacted, and in the mean time should there not be an appropriation for the purpose the timber could not be protected. It is also very important that the work of recovery for depredations in the past should be continued, for which purpose it is necessary to keep agents in the field. \*

Having thus given in brief what has been done in the past and what is being done now, it remains to examine the question with reference to the measures which should be adopted in the future for protecting and preserving the timber, or for the survey and sale of the remaining timber lands. In considering this question it may, I think, be safely assumed that the laws which are now in force providing for the disposition of the public lands are not the best, when applied to timber lands. Under these laws the timber bearing lands of great value, the desert lands of but little value, and good agricultural lands, are all held at the same price, and are alike reserved for homestead and pre-emption settlement, and alike granted away as subsidies to railroads and for other internal improvements, without regard to their fitness for the purposes for which reserved, or their value when granted. That some distinction and separate legislation in regard to the timber lands is now necessary, will not be questioned by any person who will take the trouble to investigate the question of timber supply and its probable duration under existing laws.

If the problem of future supply and the means necessary to secure it did not enter in, some legislation for the purpose of protecting the Government against mere pecuniary loss would be necessary. But the necessity of early adopting some policy looking to the preservation of timber for future supply is of so much greater importance that I desire to call your attention more especially to it.

Assuming, therefore, that present laws are inadequate, either for the sale or preservation of the timber lands, the inquiry to what end should future legislation be directed is now to be considered. Shall the timber lands be surveyed and sold at one dollar and twenty-five cents per acre, or shall they be appraised and sold at a fair valuation, or shall their extent and location be ascertained, and they be held by the Government, and the timber sold under such rules and regulations as may be provided by law, looking to a renewal of the forest by a careful preservation of the young timber, as is provided by law and carried into effect in some of the states of Europe.

The consumption and waste of timber in all the pine growing districts of the United States during the last few years has been so great as to cause the discussion of various plans to stay the waste and preserve the timber. Some thoughtful men, whose observations and experience in the lumber producing districts have been extensive, are of the opinion that the survey and sale of the pine lands would necessarily tend to their preservation, that a larger number of people would be interested in preventing and suppressing fires. Private ownership would doubtless do much to prevent waste by fire in districts where the lands are chiefly in private hands, and it may be also true that timber would be better guarded and husbanded if the timber lands were in the hands of men who paid even the small price of one dollar and twenty-five cents per acre for them.

All past history shows only two successful methods of preserving timber in densely populated countries; the one, by the Government retain-



ing the title to the land and exercising a watchful supervision over the sale and disposition of the timber, as in Germany, where large revenues are annually derived from this source; the other, through law of entail, as in England, by means of which a landed aristocracy holds the soil and has the aid of the strength and well executed laws to enable the preservation of the timber.

It is a fact which cannot be successfully denied that most of the pine lands in Michigan, Wisconsin, and Minnesota, also those on the Pacific and Gulf coasts, have very little value as agricultural lands, and should be withdrawn from the operation of the homestead and pre-emption laws. Millions of acres have been taken under these laws which contemplate settlement and cultivation, whereon now no vestige of agriculture or cultivation exists. These laws are used in the pine land portion of the country mainly as covers for fraud.

In an official report, which must necessarily be brief, a subject of the interest and importance of this cannot be discussed at such length or in such manner as to present all the arguments as to what should be done. The disastrous climatic effect resulting from the removal of forests might be urged separately as a reason for their preservation, if the scope or extent of an official report would warrant it. As I cannot enter this field of argument, for the reason above given, I will venture only to express the hope that you may be able to secure investigation by Congress into this very important subject. If by anything I can suggest, members of our national legislature can be induced to examine such authorities on this subject as "Man and Nature," or the "Earth as Modified by Man," by Hon. George P. Marsh, there is but little doubt but that suitable legislation would be the result. From the examination I have been able to give this question, I have concluded to recommend to you—

1. That Congress should, by proper legislation, withdraw all lands chiefly valuable for pine timber from the operation of the homestead and pre-emption laws, and from all manner of sale or disposition except for cash at a fair appraised value, to be ascertained in such manner as Congress may provide, under the direction of the Secretary of the Interior.

2. That the Secretary of the Interior be authorized by law to sell at just and fair valuation, to be ascertained as Congress may direct, timber from the public lands in mining districts where it would be contrary to existing laws to sell the land by legal subdivisions, or in any manner except as provided in the mining laws now in force; also that he be authorized to sell the timber upon any unsurveyed land, not mineral, when needed for actual settlement before the public surveys are extended over such lands. This legislation is necessary, pending any other that may be deemed best by Congress.

3. That Congress be requested to enact a law providing for the care and custody of such timber lands as are unfit for agriculture, and for the gradual sale of the timber growing thereon, and for the perpetuation of the growth of timber on such lands by such needful rules and regulations as may be required to that end. That Congress be requested to enact such laws as may be necessary for the appraisement and sale of such timber lands as it may deem best to sell; also providing for the care and custody of such lands until such time as they are sold; also to provide for more specific legislation for fines and punishment for trespass on the timber on all public lands, defining the nature of the action, and by whom to be brought; I would also respectfully suggest the propriety of legislation authorizing seizure by the United States marshal or his deputies, of timber cut from the public lands of the United States with-

out first resorting to the tedious process of obtaining writs from the courts, and providing the method of sale of timber that may be seized and the disposition of the proceeds.

PRIVATE LAND CLAIMS IN THE STATE OF COLORADO AND THE TERRITORIES OF NEW MEXICO AND ARIZONA.

The basis of the present mode of settling these claims is the eighth section of the act of July 22, 1854, (10 Stats., p. 308,) which in substance makes it the duty of the surveyor general of New Mexico to examine, under instructions by the Secretary of the Interior, and report upon the validity or invalidity of Spanish and Mexican titles therein, which said report, the act further provides, shall be "laid before Congress for such action thereon as may be deemed just and proper, with a view to confirm *bona fide* grants." This legislation applied only to that part of New Mexico which was included within the lines defined by the treaty of Guadalupe Hidalgo until the act of August 4, 1854, (10 Stats., p. 575,) which provided that, "until otherwise provided by law, the territory acquired under the late treaty with Mexico, commonly known as the Gadsden treaty, be, and the same is hereby, incorporated with the Territory of New Mexico, subject to all the laws of said last named Territory."

Under this act the honorable Secretary of the Interior, in his decision, dated February 17, 1872, addressed to this office, held that the laws therein referred to were *United States laws*, including the above act of July 22, 1854, and hence that the jurisdiction of the surveyor general of New Mexico for the settlement of these claims extended over all the territory acquired by the Gadsden treaty, unless, in the words of the act of August 4, 1854, some other mode had been "provided by law." Since the date of this act the settlement of a part of these claims in the Gadsden purchase has been otherwise provided for by law.

By the act of February 24, 1863, (12 Stats., p. 664,) a part of the Gadsden purchase was incorporated into the Territory of Arizona, and by the same act authority was given for the appointment of a surveyor general for that Territory. By the subsequent act of July 15, 1870, (16 Stats., p. 304,) the provisions of the eighth section of the act of July 22, 1854, were extended to Arizona, and the surveyor general thereof was thereby clothed with as ample jurisdiction over grants therein as was vested in the surveyor general of New Mexico over like claims in the Territory of New Mexico.

The provisions of the eighth section of the said act of July 22, 1854, were extended to Colorado by the seventeenth section of the act of February 28, 1861, (12 Stats., p. 176,) so that, as the law stands, there are three Territories, New Mexico, Colorado, (since become a State,) and Arizona, in which there are provisions of law for the settlement of Spanish and Mexican titles, the protection of which is guaranteed by treaty stipulations.

On the 25th of August, 1854, the Secretary of the Interior issued instructions to the United States surveyor general for New Mexico, as required by the legislation aforesaid, and that officer thereupon entered upon his duties, as prescribed by said instructions and the acts of July and August, 1854, and he has since transmitted to Congress a number of reports on this class of claims, some of which have been approved by Congress, and some of which are now awaiting action before either the Senate or House.

On the 9th of January and 11th of April, 1877, this officer issued instructions to the surveyors general of Arizona and Colorado, approved

by the Secretary of the Interior, respectively, on the 11th of January and 1st of May, 1877, directing those officers to proceed, in compliance with the requirements of said act of July 22, 1854, and supplemental legislation, to report to Congress the origin, nature, and extent of all private land claims within their respective districts. The issue of these instructions has been delayed partly because it was hoped that Congress would, in view of the evident necessities for further legislation, make some provision for a more speedy adjustment of these claims, and partly for the reason that the *quasi* judicial duties conferred by the acts aforesaid could not be exercised without injury to that branch of the duties of the surveyor general more properly appertaining to his office.

During the past four years this office has, by reports and otherwise, repeatedly called the attention of Congress to the defects in the present system of settling these claims; and to these I add my opinion that the present method prescribed for the determination of the validity of these grants is not sufficiently speedy to do justice either to the claimants or settlers or to the United States. Nor does it secure the requisite ability for a proper settlement of such grants; nor does it provide for the settlement of all such claims, the protection of which is guaranteed by treaty.

It is now more than twenty years since the surveyor general of New Mexico commenced the examination of claims in that Territory, and he has since reported to Congress less than one hundred and fifty claims, though in 1856 he had more than one thousand upon his files, and of the number reported Congress has confirmed but seventy-one. From these data it will be seen that the probable date when the last of these thousand claims in New Mexico alone will be reported on and confirmed is in the far future.

In the mean time the claimants must wait without remedy, and their grants, which would be valuable if the title were completed by a United States confirmation or patent, must remain comparatively worthless, as is all property where the vendor offers for sale an incomplete title and prospective litigation.

The settler dares not settle and improve land lest it be subsequently found to be within the limits of some unconfirmed and unsurveyed grant; and the United States by such delay not only loses the sale of its land, but, judging from past experience with private land claims in other localities, the development of the resources of that country will create additional incentives for the manufacture of fraudulent title papers, with the view of securing public land therewith. Each year's delay, with the consequent death of living witnesses and loss or destruction of ancient records relating to land, adds to the probabilities that such forged and otherwise fraudulent title papers will pass without detection the scrutiny of the officers whose duty it may become to determine their character.

This delay is neither the fault of the surveyor general nor of Congress. A proper attention by the surveyor general to his executive duties leaves him but little time to attend to the examination of complicated and confused evidences of title, most of which are in a foreign language. And when the claim, having been reported to Congress, has been assigned to its appropriate committee, no member of such committee can conscientiously recommend that the United States convey the large tract of land which most of these grants contain without giving to each case that careful, patient, and protracted examination which belongs to the judge rather than the legislator. In the multitude of business pressing upon Congress during its session, it cannot be expected that these claims

will be attended to to the exclusion of business more important to the general welfare.

However able, competent, and valuable a surveyor general may be as an executive officer, or to conduct the usual business arising in a surveyor general's office, he may, and probably will, lack the technical legal knowledge which will enable him to cope successfully with voluminous title papers, complicated by the sophistry of skillful attorneys. Yet, under the present system, the surveyor general must surmount these difficulties, or they cannot be surmounted; for, however carefully Congress may re-examine his work, it must not be forgotten that Congress acts on a *copy* of the papers filed with the surveyor general, and hence cannot possibly know whether the grant be antedated or forged, or contains any of those defects which can be detected only by an inspection of the original record.

The practical result of this system appears in the confirmation of immense tracts of land, the location of which is now boldly asked by the claimants and their agents, not in accordance with the limits of their grant from Mexico, but within the limits of their grant as defined in the recommendation and report of the surveyor general, and as confirmed by Congress.

The remedy which I suggest for the correction of these evils is the repeal of the jurisdiction now vested in the surveyors general, and the appointment of three or more commissioners, with full power to hear and decide upon the validity of *all* grant claims within the limits of the territory acquired from Mexico, except in the State of California, and with appeal from their decision to the United States courts. By the selection of men specially qualified for, and who can devote their time exclusively to, these duties, a more speedy and otherwise more satisfactory settlement will be obtained. It is believed that, if the papers in each case be put in order and the record made up by these commissioners, more speed will be obtained than if the courts, with their other important duties, are given original jurisdiction over these claims.

The present method of surveying these claims is also defective. At present, the whole weight of correctly locating a grant by survey rests with the United States deputy surveyor, who executes the survey in the field.

The greater part of these grants are bounded by adjoining grants or natural objects; such, for example, as on the north by the grant to A, on the south by the stream called B, on the east by the table lands of C, and on the west by the spring of D. Now, it is often a matter of the greatest difficulty, in a country such as the Southwest, abounding in springs and streams, and covered with table lands, to determine which of two springs, several miles apart, is the spring A, or which of two streams or table lands, likewise miles apart, is the stream B or the table land C. To aid him in reaching a correct conclusion, the deputy surveyor has no guide other than such information as he can glean from statements of persons in the vicinity, not under oath, and perhaps interested in extending or curtailing the limits of the grant about to be surveyed. When the deputy surveyor has performed his duty to the best of his ability, under these adverse circumstances, he returns the survey to the surveyor general, who, not being required to examine these natural objects in the field, transmits the survey to this office, and the claimants appear and ask for a patent in accordance therewith. Manifestly, if this office acts upon such a survey, by approving it, it acts blindly.

It is difficult to suggest a remedy that will be entirely satisfactory,

but, as the result of a careful examination of the settlement of these claims elsewhere, I recommend that a law be passed authorizing the surveyor general to publish each survey for a period not exceeding six weeks in two newspapers, one publication being in the newspaper nearest the land and one at the principal business or political center of the Territory or State in which the claim is located; the said publication to call upon all parties interested to appear and show cause, if any there be, why the said survey should not be approved, and such objection as may then be made, or such evidence as may then be produced, to be transmitted, with the opinion of the surveyor general, to this office. Provision should also be made for a return of the papers, a further notice, and the taking of further testimony, where deemed necessary by the Commissioner of the General Land Office.

The success which has attended this method in a similar class of claims in California warrants me in predicting a favorable result, should it be adopted in the adjustment of the claims now under consideration.

In addition to the foregoing, I might add that, while these private land claims remain in their present unsettled condition, it will continue to retard emigration to and settlement in said Territories; for, until the titles thereto are ascertained, and the land segregated from the public domain, it will be impossible to determine which is public land subject to appropriation and settlement under the public land laws and which is not; therefore, settlement made with a purpose of acquiring title under the public land system is necessarily at the risk of finding in the future the land settled upon included within the limits of a private land claim, and the improvements lost to the party who made them. There have already occurred many cases of severe hardship in this respect.

The experience of the past fully demonstrates that after these claims have been reported to Congress, as required by the aforesaid act of 1854, Congress is loath to take them up and confirm them without more definite knowledge regarding their genuineness, extent, and location, which it is impossible to have under the present defective system.

#### DISTRICT LAND OFFICES.

At the beginning of the fiscal year there were under my supervision ninety-eight district land offices, distributed as follows, viz:

Alabama.....	3	Mississippi.....	1
Arkansas.....	4	Montana.....	2
Arizona.....	2	Missouri.....	3
California.....	10	Nebraska.....	7
Colorado.....	5	Nevada.....	4
Dakota.....	5	New Mexico.....	2
Florida.....	1	Oregon.....	5
Idaho.....	2	Ohio.....	1
Illinois.....	1	Utah.....	2
Indiana.....	1	Washington Territory.....	3
Iowa.....	2	Wyoming Territory.....	1
Kansas.....	8	Wisconsin.....	6
Louisiana.....	3		
Michigan.....	5	Total.....	98
Minnesota.....	9		

During the fiscal year and subsequently thereto changes and consolidations have been made as follows, viz:

By act of Congress approved July 31, 1876, the offices at Chillicothe, Ohio; Springfield, Ill.; and Indianapolis, Ind., were abolished after September 30, 1876.

By act of Congress approved August 15, 1876, an additional land dis-

trict was established in Washington Territory, designated as the Whitman land district, and the office located at Colfax.

By executive order dated April 11, 1877, a new district was created in Dakota, designated as the Black Hills district, with the office at Sheridan, but was, prior to the opening of the office, removed to Deadwood by executive order of May 24, 1877.

By executive order dated April 17, 1877, a new district was created in the State of Colorado, designated as the San Juan district, with the office at Lake City.

By act of Congress approved August 9, 1876, a new district was created in Wyoming, designated as the Evanston land district, with office at Evanston.

By executive order of June 19, 1877, the office at Beaver City, Utah, was discontinued and consolidated with Salt Lake City.

By executive order the offices located at Elko and Pioche, in Nevada, were discontinued and consolidated with Eureka.

I have no doubt further changes and consolidations may be advantageously made, and shall from time to time, as occasion offers, report to you such recommendations in this regard as I may deem conducive to the needs of the public service.

The total number of offices July 1, 1876, was .....	98
Created since .....	4
	<hr/>
	102
Discontinued since .....	6
	<hr/>
Leaving now in operation.....	96

Which are distributed as follows, viz:

Alabama .....	3	Mississippi .....	1
Arkansas .....	4	Montana .....	2
Arizona .....	2	Missouri .....	3
California .....	10	Nebraska .....	7
Colorado .....	6	New Mexico .....	2
Dakota .....	6	Nevada .....	2
Florida .....	1	Oregon .....	5
Idaho .....	2	Utah .....	1
Iowa .....	2	Washington Territory .....	4
Kansas .....	8	Wyoming Territory .....	2
Louisiana .....	3	Wisconsin .....	6
Michigan .....	5		<hr/>
Minnesota .....	9	Total .....	96

The registers and receivers at these offices are charged by law, under the supervision of this office, with the primary disposal of the public lands in their respective districts. Applications for entry, for the filing of settlement claims, and for the selection by States and corporations under the various congressional grants, are received by the register, and all moneys in payment for lands or as fees for filings and selections are taken by the receiver, and due account of the entire proceedings is made in the form of monthly reports, to be filed and properly passed upon by this office. The receiver also renders quarterly accounts of receipts and disbursements.

Much complaint has been made of the irregular mode of conducting the public business at the district offices, and charges of malfeasance are constantly brought to the attention of this bureau and of the Department. I have found the consideration of these charges and complaints a matter of great difficulty and expense, and the results very meager and unsatisfactory in comparison to the labor of the investigation.

Under the present system, without appropriations for the employment

of special agents to inquire into the conduct of officials under my authority who may be charged with malfeasance, and with no means, except through voluntary statements of private parties, to procure evidence upon allegations of misconduct, it is not easy to reach correct conclusions. When reached, it is usually after so long delay that the moral effect of action in the case is lost or seriously impaired.

I am of the opinion that the fee system as it now stands, applicable to the question of compensation of these officers, is mainly the cause of the mischief charged, and that some change in the legislation on the subject is imperatively demanded. A fixed salary attached to each office, graduated if necessary in classes to cover differences in the amount of business and in public importance, with a contingent appropriation for office expenses, rent, stationery, furniture, and clerk hire, and the entire abolition of any allowance to registers or receivers as fees, would, in my judgment, put an end to illegal charges on their part, and to a prolific cause of complaint and real grievance to the poorer classes of settlers on the public lands, who are unjustifiably taxed by these officers in the payment of fees and commissions in excess of the amounts authorized by law.

While this would augment the appropriations on account of salaries, so as to create a seeming increase of expenditure on account of the civil list, it is believed that the saving in contingent expense of this bureau, the office of the Secretary, and the Department of Justice, combined, would more than offset the difference, especially when it is considered that all the labor of adjustment of accounts under the appropriation of fees would be avoided, and the time of the valuable clerks and officials now devoted to such adjustment, and to the investigations, would be given to the dispatch of the necessary current business of the Departments. The great incentive, however, to this change is the securing of a pure, orderly, and honest administration of the public service, of harmony between the people and their Government, and the removal of a powerful source of temptation from official positions, making them more honorable for honest men, and less desirable for mercenary adventurers, who seek these positions on account of the facilities they offer for illegal gains, and the cover afforded by the fee system for extortion and exaction under the forms of law.

I shall be glad, at the proper time, to aid, if necessary, in framing proper amendments to existing laws to secure this desirable change, or to offer such further suggestions from time to time as may be called for upon the subject.

Should Congress, however, deem a change in this regard inexpedient, I would urge the propriety and necessity of such legislation as will more specifically direct the expenditure of the appropriations for incidental expenses of district offices, provide for the allowance of rent and necessary clerk hire, prohibit the payment of clerks out of fees received except upon accurate vouchers showing the source of expenditure, and require all excess of such fees, from whatever source derived, to be turned into the Treasury of the United States in the same manner as other public moneys are deposited.

I would respectfully recommend that the provisions of the act of Congress entitled "An act to amend section twenty-two hundred and ninety-one of the Revised Statutes of the United States in relation to proof required in homestead entries," approved March 3, 1877, be extended to all classes of entries requiring proof to be made before completion of entry.

If this were done there would no longer exist a reason why there



should be more than one land office in each State and Territory containing public lands, and eighty land offices could be abolished without the least inconvenience to settlers or others desiring to purchase land, and at the same time effect an annual saving of at least three hundred and fifty thousand dollars to the Government.

No distribution of land offices could afford facilities to persons having to make proof in regard to their entries equal to those that would be afforded by the legislation recommended.

As proof of this statement take California, which has ten land offices, being the largest number in any State, and consequently ten places at which proof can be made. If proof could in all cases be made in the county where the land is situated, there would be in California fifty-two places, as the State has that number of organized counties.

In cases of contest the law should provide for taking the testimony before the judge or clerk, who should give due notice to both parties, and have power to compel the attendance of witnesses. No power now exists in the register or receiver to compel the attendance of witnesses.

#### A BRIEF REVIEW OF SOME OF THE LAWS GOVERNING THE SALE OR DISPOSAL OF PUBLIC LANDS; ALSO, RECOMMENDATIONS FOR LEGISLATION.

When the full scope and meaning of some laws are ascertained by the executive branch of the Government, in their execution they become unpopular, though in the mean time rights may have vested under them.

In such cases, the law-making power hesitates to enact supplemental laws or make appropriations necessary to the execution of the same. It also frequently occurs that great wrongs are done in executing a law which if properly administered would be beneficial and salutary in its effect. Under one or the other of these classes of laws may be grouped many in relation to the sale or other disposal of the public lands. Falling under one or the other of these two classes may be mentioned some of the acts granting land subsidies to railroads, wagon roads, and for slack water navigation; also the act of the 28th of September, 1850, granting the swamp and overflowed lands to the several States, and many of the acts providing for the issue of certain kinds of land scrip; among which may be mentioned Sioux half breed, Red Lake and Pembina half breed, Valentine, and other scrips; the acts granting additional homesteads to soldiers, and the act providing for the entry of lands by certain traders and employés; also the act for the sale of desert lands, and the homestead and pre-emption laws, as they now stand.

Under most of these acts vested rights have accrued to the extent contemplated by the law, but these rights have not been ascertained and the law fully executed for want of necessary clerical force to enable this office to perform the duty. Under the provisions of some of these laws all the damage and wrong has been done that can be. Under others of them, still additional wrongs and frauds can be perpetrated, and will be, unless they are repealed or modified.

However obnoxious any or all of the railroad grants may now be held to be, the rights under them have become vested, where the roads have been built, and it only remains for the executive branch of the Government to ascertain them and execute the law. Under the act of the 28th of September, 1850, granting the swamp and overflowed lands to the several States in which they are situated, many wrongs against the Government have been consummated by the State agents in selecting lands not swamp or overflowed, but it does not follow that, because in

some of the States nearly all of the vacant lands which in fact were not swamp have been certified to the States as such, the lands which in fact and law are swamp shall not be ascertained and set apart and the books closed. Clerical force and special agents are necessary to do this work. Under the law it has always been the duty of the Secretary of the Interior to perform it. If the means had been provided him for that purpose, no such wrongs would have been committed, and if the means are now provided to ascertain the true character of the lands none need be in the future.

The acts providing for soldiers' additional homesteads and for the issue of the various scrips before enumerated have been the source of much fraud against, and expense to, the Government. I cannot here enter into all the particulars of the frauds. The soldiers' additional homestead rights under the act creating them can be used to locate double minimum and pine lands. With these rights, which sold for forty cents per acre, or less, have been located pine lands of great value, which could not be bought with cash at any price under existing laws. In what was previously, if not now, the Mille Lac Indian reservation 286 soldiers' additional homestead applications have been filed in the land office at Taylor's Falls, Minnesota, on lands which are worth for their timber alone from \$10 to \$30 per acre.

The Red Lake cession, surrounding the Red Lake reservation, has been largely taken by the Red Lake and Pembina half breed scrip, most of which, I have no doubt, was fraudulently obtained. The lands in this cession are very valuable for the timber upon them. The Sioux half breed scrip has been the means of much fraud and robbery. It can be located upon lands surveyed or unsurveyed, and has been used fraudulently to locate much valuable timber land, which would have brought to the Government from five to twenty dollars per acre; in cash, if the law had permitted its sale to the highest bidder. A favorite mode of operating with this scrip has been to locate it upon timber land, cut the timber off under color of the title thus obtained, and then, upon some pretense satisfactory to the local office, withdraw and relocate it upon other timber land equally valuable.

The treaty of April 7, 1855, permitting certain persons to purchase 160 acres of public land, was only a subterfuge for enabling persons dealing in scrip to purchase those rights, and thereby procure choice lands in districts where the same could not be bought for cash in a direct and honest way. About six hundred of these entries have been made, when perhaps there never were to exceed two hundred persons entitled to make them under the law, if the exact facts could have been ascertained.

The act of the 3d of March, 1877, for the sale of desert lands in certain States and Territories is a good law, from which most beneficial results should and would be obtained, if it could be fully carried into effect.

The difficulty in the way of good results under the act may be briefly stated thus: The promoters of the law not being able, under existing laws for the sale or disposal of the public lands, to purchase the same for cash, had to resort to the plan of getting a special bill through Congress. The bill was somewhat loosely drawn. A liberal construction of it would allow the persons who have entered lands under its provisions to procure title by putting very little water upon the land. A strict and rigid construction of the law, which I may as well say here and now will be placed upon it by this office, in my opinion practically defeats its operation, and any good results that might be expected from it. To be

required to irrigate *all* of a tract of 640 acres of land, except in very rare cases, is to require something well nigh impossible, or, if possible, something so expensive that no person or corporation could afford to do it until lands for cultivation are far more valuable than they now are.

This law, together with many others concerning the procuring of title to portions of the public lands, was passed because the lands were not for sale for cash. Very few, if any, of the acts providing for the issue of land scrip, which have been the source of so much fraud and mischief, would have been passed if the public lands had been in market, as they should, in my opinion, have been. These acts, whether so intended or not, have been so many ~~subterfuges~~ by means of which titles could be procured. Instead of these devious ways of procuring title to the public lands, there should be a plain, straightforward way of doing it by purchase for cash.

Recurring again to the desert land bill, I would recommend its early repeal, and in lieu of it the enactment of a law giving to persons or corporations all the lands which are truly and unmistakably desert in character, which they may thoroughly and fully reclaim by means of irrigation, either from rivers or lakes or by artesian wells. If lands which require no irrigation are given away to any persons who will settle upon and improve them, why not give away the desert lands upon the same conditions, especially when it requires so much more to improve them?

#### THE HOMESTEAD AND PRE-EMPTION LAWS.

A prudent writer might be expected to approach the subject of any change in these laws with diffidence if not with fear.

That these laws are kind and beneficent, or were intended to be, will not be denied. Had they been in force forty years earlier, when emigrants from all parts of the Eastern States went beyond the Mississippi many hundreds of miles from railroads or other means of cheap transportation, they would in their effect have been still more kind and beneficent. To-day the country might be said to be without a frontier other than the two great oceans and the international boundaries. Lines of comparatively cheap transportation penetrate into and very near to all parts of the country, by means of which farm products are shipped with profit to the producer, and such supplies as he requires are laid down near his door at fair if not low prices.

In view of the fact that this condition of the country exists largely if not mainly by means of liberal donations of land by the General Government, and cash aid for which the whole people, East as well as West, are taxed, is it right that all or nearly all of the public domain, even including that immediately on the lines of great highways built at Government expense, shall be held for free donations to whomsoever will settle upon and occupy it? Heretofore in the history of all people who gave away the soil it was given to induce settlements far away from the home government and for the extension of empire. Without pursuing this argument or suggestion of an argument further, and admitting that all agricultural or arable lands should be held for free donation to those who are now or hereafter to become citizens, I wish to present some reasons why lands which are not agricultural, and are unsuitable for the homes of an agricultural population, should not be subject to the homestead and pre-emption laws. The desert lands where there is not water for irrigation, the pine lands on the mountain tops amidst perpetual snows, in the great interior of the country embracing Colorado, Wyoming, Dakota, Montana, Idaho, Utah, New Mexico, Nevada, and Arizona, and

also in the States and Territories bordering on the Pacific, and the pine lands on the Gulf coasts and on the lakes of the North, are alike held for disposal under the homestead and pre-emption laws.

Why should these laws longer exist with reference to these lands? If the valuable pine lands are to be given away and the timber to be destroyed, would it not be better to enact some law whereby the title can pass without perjury? As the law now is, men procure title by swearing to a compliance with the laws requiring cultivation. The homestead and pre-emption laws are now educating thousands of men in the crime of perjury. It would be better to pass a law granting the land to the persons who would manufacture the timber upon it into lumber, railroad ties, and charcoal, as that is in fact what they do and all they do now after taking them under the homestead and pre-emption laws. I would recommend that the homestead and pre-emption laws be so amended as to be applicable only to arable agricultural lands, and in no case to land chiefly valuable for the timber growing upon it.

Respectfully submitted.

J. A. WILLIAMSON,  
*Commissioner.*

Hon. C. SCHURZ,  
*Secretary of the Interior.*

P A P E R S  
ACCOMPANYING  
THE ANNUAL REPORT  
OF THE  
COMMISSIONER OF THE GENERAL LAND OFFICE,  
*For the fiscal year ending June 30, 1877.*

*Operations under the laws governing the survey and disposal of public lands, and amount of clerical labor performed in the General Land Office, during the fiscal year ending June 30, 1877, as reported by the heads of the several divisions of the bureau.*

DIVISION A.

During the past fiscal year there were written and recorded in this division 4,083 letters, covering 1,617 pages of folio record, and transcripts were furnished amounting to \$8,837.60.

DIVISION B.—RECORDER'S DIVISION.

*Number of patents issued.*

For cash sales.....	6,056
For homestead entries.....	15,973
For warrant locations.....	951
For agricultural college scrip locations.....	430
For Sioux half-breed scrip locations.....	13
For Chippewa half-breed scrip locations.....	39
For Chippewa half-breed, Red Lake, and Pembina.....	47
For Valentine scrip.....	9
Under act of 2d June, 1858.....	5
Arkansas donation.....	1
Credit system.....	1
La Nana and Ormegas.....	1
	<hr/>
	23,526

Number of patents transmitted.....	27,636
Certified copies furnished from patent records.....	3,873
Cash received for same.....	\$6,439 00
Being an increase over the previous year of.....	\$2,993 86
Number of letters received.....	7,786
Number of letters written.....	8,754
Pages of record covered.....	4,800

The excess of four thousand one hundred and ten patents transmitted over those issued, is caused by the retransmission of that number to individuals of such as had been returned from discontinued local offices.

The average number of clerks of all grades—including second class only—employed in this division during the past fiscal year, has been twenty-three, which is the present force, showing a decrease from the previous year of about twenty, notwithstanding which more work has been accomplished, and a far greater degree of accuracy attained, than was done under the old practice of sending a large proportion of the patent writing to be prepared by unskilled, and in most cases incompetent, persons out of the office.

As a matter of general interest, I desire also to present the following facts and statistics, as carefully collated from the records in this division.

The oldest patent of record in the General Land Office was issued in 1793, and from that date to the present time there have been prepared, engrossed, recorded, and transmitted, of agricultural patents, from this division, in the several States and Territories, as follows, to wit:

Alabama.....	For cash sales.....	224,477	
	For homestead entries.....	1,353	
	For credit system.....	13,526	
			239,356
Arkansas.....	For cash sales.....	95,864	
	For homestead entries.....	5,609	
			101,473
California.....	For cash sales.....	30,794	
	For homestead entries.....	4,428	
	For agricultural college scrip.....	10,152	
	For Sioux half-breed.....	245	
	For Chippewa half-breed.....	266	
			45,885
Colorado.....	For cash sales.....	5,412	
	For homestead entries.....	1,207	
	For agricultural college scrip.....	1,525	
	For Sioux half-breed.....	12	
	For Chippewa half-breed.....	15	
			8,171
Florida.....	For cash sales.....	23,144	
	For homestead entries.....	1,116	
			24,260
Illinois.....	For cash sales.....	259,356	
	For homestead entries.....	11	
	For credit system.....	4,602	
			263,969
Indiana.....	For cash sales.....	188,636	
	For homestead entries.....	10	
	For credit system.....	12,579	
	For Sioux half-breed.....	11	
			201,236
Iowa.....	For cash sales.....	147,751	
	For homestead entries.....	6,368	
	For agricultural college scrip.....	1,647	
			155,766
Kansas.....	For cash sales.....	42,260	
	For homestead entries.....	14,578	
	For agricultural college scrip.....	5,415	
	For Sioux half-breed.....	8	
			62,261
Louisiana.....	For cash sales.....	58,871	
	For homestead entries.....	799	
	For credit system.....	148	
			59,818



Michigan .....	For cash sales .....	130,803	
	For homestead entries .....	7,663	
	For credit system .....	390	
	For agricultural college scrip .....	7,067	
	For Chippewa half-breed .....	2	145,924
Minnesota .....	For cash sales .....	45,657	
	For homestead entries .....	20,528	
	For agricultural college scrip .....	5,939	
	For Sioux half-breed .....	3,001	
	For Chippewa half-breed .....	545	75,670
Mississippi .....	For cash sales .....	117,980	
	For homestead entries .....	639	
	For credit system .....	3,391	122,010
Missouri .....	For cash sales .....	285,267	
	For homestead entries .....	7,575	
	For credit system .....	3,810	
	For agricultural college scrip .....	1,339	297,991
Nebraska .....	For cash sales .....	16,818	
	For homestead entries .....	15,761	
	For agricultural college scrip .....	7,148	
	For Sioux half-breed .....	20	
	For Chippewa half-breed .....	1	39,748
Nevada .....	For cash sales .....	1,030	
	For homestead entries .....	41	
	For agricultural college scrip .....	16	
	For Sioux half-breed .....	23	1,110
Ohio .....	For cash sales .....	94,064	
	For homestead entries .....	95	
	For credit system .....	39,207	133,366
Oregon .....	For cash sales .....	6,468	
	For homestead entries .....	2,002	
	For agricultural college scrip .....	442	8,912
Wisconsin .....	For cash sales .....	154,945	
	For homestead entries .....	8,280	
	For agricultural college scrip .....	7,129	
	For Sioux half-breed .....	82	
	For Chippewa half-breed .....	210	170,646
Total for States .....		2,157,572	
Arizona Territory .....	For cash sales .....	187	
	For agricultural college scrip .....	5	192
Dakota Territory .....	For cash sales .....	3,164	
	For homestead entries .....	2,378	
	For agricultural college scrip .....	1,045	
	For Sioux half-breed .....	112	
	For Chippewa half-breed .....	166	6,865
Idaho Territory .....	For cash sales .....	408	
	For homestead entries .....	127	
	For agricultural college scrip .....	1	536
Montana Territory .....	For cash sales .....	666	
	For homestead entries .....	298	
	For agricultural college scrip .....	602	1,566

New Mexico Territory..	For cash sales.....	179	
	For homestead entries.....	48	
	For agricultural college scrip.....	18	
			245
Utah Territory.....	For cash sales.....	1,654	
	For homestead entries.....	703	
	For agricultural college scrip.....	574	
	For Sioux half-breed.....	3	
	For Chippewa half-breed.....	4	
			2,938
Washington Territory..	For cash sales.....	7,781	
	For homestead entries.....	1,512	
	For agricultural college scrip.....	397	
			9,690
Wyoming Territory....	For cash sales.....	67	
	For homestead entries.....	20	
	For agricultural college scrip.....	18	
			105
Total for Territories.....			22,137

There have also been issued, for lands throughout the different States and Territories, patents on military bounty-land warrants under the—

Act of 1846.....	88,243
Act of 1850.....	189,120
Act of 1852.....	11,982
Act of 1855.....	261,276
Total.....	550,621

Also under the old military acts of 1790, 1791, 1801, and 1812 estimated.... 50,000

On surveyors generals' certificates and special acts.....	2,732
On Choctaw scrip under treaty of Dancing Rabbit Creek of March 3, 1830..	2,722

Making a total of..... 2,785,784

Exclusive of patents issued under mineral, swamp, railroad, canal, and wagon road, school, and private grants.

All the patents as thus given are recorded in books of about five hundred pages each, prepared for the purpose, and now aggregate nearly seven thousand volumes, kept in cases in the halls of the building, for want of rooms in which to place them.

The muniments of title on which these patents are founded and records made aggregate at this time no less than ten million eight hundred and ninety-eight thousand five hundred and forty-five papers, and should any single one of all that number be lost or destroyed, the title to some man's realty would be clouded or lost, according to the character of the missing document.

The certificates, receipts, proofs, and other papers are systematically arranged by States, land districts, and numerical numbers, so that any paper named can at once be referred to by the clerks in charge of the files. Until recently, these papers and records were filed in open cases in the public halls of the building and in rooms lighted only by gas, where any person, from curiosity or other motive, could handle and inspect at his leisure. With a view to greater security, however, I have caused locks to be placed upon the doors of all cases in the hall, and, as far as practicable, in the rooms. But, in view of the recent disaster to the building by fire and water, I would suggest that further and more

ample provision be urged for the safety of papers of such value to all who hold title to lands purchased from the United States.

There still remain in the files of this office not less than three hundred thousand undelivered patents, and fully as many more at the various local offices which the owners neglect to procure, notwithstanding all the efforts put forth to accomplish that object; and I would further suggest that the attention of Congress be called to this subject, that proper legislation be had, and an appropriation made sufficient to continue the work of preparing lists of such patents, looking to their delivery, now stopped for want of force, and relieve this office of such a burden, before the patents are entirely ruined by time and for want of care.

I would also state that many of the older records of these patents, through time and by reason of having been filled in with poor and perishable inks, are already nearly, and in some cases entirely, illegible, and will need to be renewed at no distant day.

This is the case to such an extent at this time that in preparing certified copies from such records the copy is not allowed to leave the office until it has been carefully compared with the original papers upon which the patent was founded.

#### C.—PUBLIC LANDS DIVISION.

The number of letters referred to this division during the fiscal year ending June 30, 1877, was .....	23, 733
Number of letters written .....	19, 250
Pages of record occupied thereby .....	13, 726
Number of cases sent to recorder .....	26, 885
Number of postings .....	102, 512
Number of circulars transmitted .....	2, 318
The number of acres sold for cash during the fiscal year ending June 30, 1877, was .....	740, 686. 57
Being an increase of 99,934.70 acres over the previous fiscal year.	
Number of acres entered under the homestead laws for the fiscal year .....	2, 178, 098. 17
Being a decrease of 697,811.50 acres, as compared with the previous fiscal year.	
Number of acres entered under the timber-culture laws for the fiscal year .....	520, 673. 39
Being a decrease of 87,311.48 acres, as compared with the previous fiscal year.	
Number of acres located with agricultural college scrip during the fiscal year .....	1, 280. 00
Being a decrease of 1,040 acres, as compared with the previous year.	

#### *Land grant approvals.*

	Acres.
Indemnity school selections approved .....	27, 973. 92
Selections for agricultural colleges .....	63, 443. 04
Internal improvement selections .....	50, 984. 91
Selections for universities .....	3, 235. 83

Total ..... 155, 637. 70

Being a decrease of 73,309.38 acres, as compared with the previous fiscal year.

*Indian scrip locations.*

	Acres.
Sioux half breed scrip locations .....	2, 655. 29
Chippewa half breed scrip locations .....	5, 422. 94

## THE HOMESTEAD LAWS.

As shown above, the entries of public land under the homestead laws during the fiscal year ending the 30th June, 1877, call for an aggregate area of 2,178,098.19 acres, showing a falling off of 699,811.80 acres, as compared with the previous fiscal year; a result probably of the prevailing financial depression, which has operated to check every description of enterprise.

## DESERT LANDS.

The following is the text of an act of Congress approved March 3, 1877, and entitled "An act to provide for the sale of desert lands in certain States and Territories:"

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be lawful for any citizen of the United States, or any person of requisite age "who may be entitled to become a citizen, and who has filed his declaration to become such," and upon payment of twenty-five cents per acre, to file a declaration, under oath, with the register and the receiver of the land district in which any desert land is situated, that he intends to reclaim a tract of desert land, not exceeding one section, by conducting water upon the same within the period of three years thereafter: *Provided, however,* That the right to the use of water by the person so conducting the same on or to any tract of desert land of six hundred and forty acres shall depend upon *bona fide* prior appropriation; and such right shall not exceed the amount of water actually appropriated and necessarily used for the purpose of irrigation and reclamation; and all surplus water over and above such actual appropriation and use, together with the water of all lakes, rivers, and other sources of water supply upon the public lands and not navigable, shall remain and be held free for the appropriation and use of the public for irrigation, mining, and manufacturing purposes subject to existing rights. Said declaration shall describe particularly said section of land if surveyed, and if unsurveyed shall describe the same as nearly as possible without a survey. At any time within the period of three years after filing said declaration, upon making satisfactory proof to the register and receiver of the reclamation of said tract of land in the manner aforesaid, and upon the payment to the receiver of the additional sum of one dollar per acre for a tract of land not exceeding six hundred and forty acres to any one person, a patent for the same shall be issued to him: *Provided,* That no person shall be permitted to enter more than one tract of land and not to exceed six hundred and forty acres, which shall be in compact form.

SEC. 2. That all lands, exclusive of timber lands and mineral lands, which will not, without irrigation, produce some agricultural crop, shall be deemed desert lands within the meaning of this act, which fact shall be ascertained by proof of two or more credible witnesses under oath, whose affidavits shall be filed in the land office in which said tract of land may be situated.

SEC. 3. That this act shall only apply to and take effect in the States of California, Oregon, and Nevada, and the Territories of Washington, Idaho, Montana, Utah, Wyoming, Arizona, New Mexico, and Dakota, and the determination of what may be considered desert land shall be subject to the decision and regulation of the Commissioner of the General Land Office.

Instructions under this act were issued to the registers and receivers of the district land offices in the several States and Territories to which its provisions apply. Returns of operations thereunder have been received from the district land officers, showing entries to have been allowed up to the close of the fiscal year as follows, viz: In California, 467 entries, calling for 166,665.57 acres; in Oregon, 3 entries, calling for 1,744.25 acres; Nevada, 44 entries, calling for 19,149.93 acres; Montana, 3 entries, calling for 361.65 acres; Utah, 139 entries, calling for 42,652.94 acres; Arizona, 68 entries, calling for 38,653.35 acres; New Mexico, 1 entry, calling for 80 acres. Total number of entries, 731; of

acres, 269,307.69. The extent of the business done for the small period from the passage of the act to the close of the fiscal year, or little more than three months, seems to indicate an active demand for the class of lands requiring irrigation to render them productive, on the terms prescribed in the act.

#### DETROIT ARSENAL GROUNDS.

The act of Congress of March 3, 1875, (Statutes at Large, vol. 18, page 510,) provides as follows, viz :

That the Secretary of War be and is hereby authorized and directed to transfer to the custody and control of the Secretary of the Interior, for sale for cash, according to the existing laws of the United States relating to the public lands, after appraisement, to the highest bidder, after giving not less than ninety days' notice of the time and place of such sale in three of the most prominent newspapers published in said State, and at not less than the appraised value, the buildings and grounds known as the Detroit arsenal, in the State of Michigan: *Provided*, That the Secretary of the Interior shall cause the said property to be subdivided into tracts of not more than forty acres each, or into town lots, with proper streets to render the same accessible: *And provided further*, That each subdivision, together with any buildings, building materials, or other property thereon, shall be appraised and offered separately, at public outcry, to the highest bidder, and in case any subdivision or subdivisions shall remain unsold the sale shall be postponed from time to time until the entire tract shall be disposed of as hereinbefore provided.

In pursuance of the provisions of said act, the grounds referred to were subdivided into town lots, 153 in number, with proper streets to render the same accessible.

The lots and buildings thereon were appraised by the commissioners, acting under authority of the Secretary of the Interior, by whom the appraisement they made was approved. The lots were appraised at \$41,275 in the aggregate; the buildings at \$18,900; making a total of \$60,175. After due notice given, the lots, together with the buildings thereon, were offered at public sale on the 12th of June, 1877. Sixteen of the lots, on two of which there were buildings, were then sold. The sale was postponed from that day to the 21st of the same month. On the 21st the sale was resumed, the lots remaining unsold were again offered, and four of them sold. The sale was further postponed to the 17th of July following, was then resumed, and two additional lots were sold, making twenty-two disposed of in all. The twenty-two lots sold were appraised at \$7.185, and the improvements thereon at \$950; total, \$8,135. They sold for \$8,542, being more by \$407 than the appraised value of the same.

The lots which remain unsold are 131 in number, appraised at \$34,090, and the buildings on them appraised at \$17,950, making the total appraised value \$52,040. The act provides that in case any subdivision or subdivisions shall remain unsold, the sale shall be postponed from time to time until the entire tract shall be disposed of, as thereinbefore provided. In view of the repeated offerings, and the failure to sell, it would seem that there is no competition for the remaining lots and buildings at the appraised price. In the absence of any demand, it is vain to continue the offering. I see no reason, therefore, why they should not be disposed of to any one who may desire to purchase at that price at private entry. I recommend that the law be so amended as to admit of this.

#### USELESS MILITARY RESERVATIONS.

By the sixth section of the act of Congress of June 12, 1858, (Stat. L., vol. 11, page 336,) lands embraced in abandoned military reservations, except reservations in Florida, are not subject to the operation of

the general laws for the disposal of the public lands of the United States, and they can only be disposed of in such manner as may be provided for from time to time by special enactment.

The act of Congress of February 24, 1871, (Stat. L., vol. 16, page 430,) provided for the disposal of certain useless military reservations therein mentioned, viz: Forts Lane, in Oregon; Walla Walla, in Washington Territory; Zarah, in Kansas; Camp McGarry, in Nevada; Fort Sumner, in the Territory of New Mexico; Forts Jesup and Sabine, in Louisiana; Forts Wayne and Smith, in Arkansas; such portion of Fort Abercrombie reservation, in Minnesota, as lies east of the Red River of the North, and such portion of the reservation at Fort Bridger, in the Territory of Wyoming, as may no longer be required for military purposes.

In accordance with the provisions of said act, the lands covered by the reservations at Fort Lane, in Oregon, Fort Zarah, in Kansas, and Fort Jesup, in Louisiana, have been offered at public sale, with no bidders in the case of Fort Lane, and the sale of a few tracts in the case of Fort Zarah and Fort Jesup. The tracts not disposed of at the public sales, thereafter became subject to private entry at the appraised price, under the terms of the act.

Fort Walla Walla has been transferred back to the custody of the War Department, as being still required for military purposes. In the case of the other reservations mentioned in said act, except the three offered at public sale as above stated, further action of Congress is deemed necessary for the proper disposal of them, and the recommendations made in connection therewith, on pages 40, 41, and 42 of my last annual report, are respectfully renewed.

#### SAC AND FOX AND OTTOE AND MISSOURIA INDIAN RESERVATIONS IN KANSAS AND NEBRASKA.

In the act of Congress of August 15, 1876, (Stat. L., vol. 19, page 208,) provision was made for the survey and appraisement of the Ottoe and Missouri reservation and the Sac and Fox reservation in the States of Kansas and Nebraska. It was also provided therein that after such survey and appraisement a portion comprising 120,000 acres of the Ottoe and Missouri reservation and a portion not to exceed ten sections of the Sac and Fox reservation, should be offered for sale "for cash, to actual settlers only, in tracts not exceeding 160 acres to each purchaser," but with the proviso that no portion of the land should "be sold at less than the appraised value thereof, and in no case less than \$2.50 per acre;" also, that if the Secretary should see proper, and the Indians consent, the land might be sold for one-third cash, one-third to be paid in one year and one-third in two years, with interest.

The survey and appraisement of the said reservations having been made, and the portion of each to be sold selected, according to law, the district land officers at Beatrice, Nebr., through whom the law directs that the sales shall be made, have been properly instructed for the sale of the lands selected for disposal to such parties as may prove to be entitled to purchase as actual settlers on the respective tracts. Descriptive lists of the tracts, having been prepared in this office, were sent to the district land officers with the instructions ordering the sale.

The Sac and Fox lands are to be sold for cash only. The Ottoe and Missouri lands may be sold on the terms allowing credit payments already indicated.



## DECISIONS AFFECTING HOMESTEAD RIGHTS.

1. In a case in which a homestead party was prevented from making final proof on his entry, by reason of being confined in the penitentiary, it was held that a legally appointed person might act for him in making the proof, and that if the proof was satisfactory, the patent would issue in the name of the homestead party.—(Commissioner's letter of July 31, 1875, in the case of Emanuel Strickland, arising in Camden land district, Arkansas.)

2. Soldiers now in the Army of the United States may, under section 2293 of the Revised Statutes, perform the preliminary acts relating to homestead entries, in the classes of cases to which it applies, without attendance at the district land office, on the part of such soldiers, by proceeding in the manner therein provided for; but section 2308 does not repeal the provisions of section 2305, which in all cases require personal residence of the party entering land for a period of at least one year after he shall have commenced his improvements.—(Commissioner's letter to register and receiver at Cheyenne, Wyo., of November 6, 1875.)

3. The ordering of hearings by the Commissioner of the General Land Office is a matter within his discretion, and from which appeals do not properly lie.—(Secretary's letter of November 27, 1875, case of Shad-duck *vs.* Homer; rules of practice, approved November 29, 1875.)

4. In case of the cancellation of a homestead entry, the first legal applicant for the land thereafter takes it notwithstanding any hardships it may cause a party living thereon, and intending to homestead it.—(Secretary's letter of December 1, 1875, case of Cox *vs.* Gilliland.)

5. In case of the decease of a homestead party, the surviving widow, if any, or heirs or devisee, are not required to continue residence as well as cultivation on the land, in order to obtain the patent, but either residence or cultivation will suffice, and the entry is not liable to contest on the ground of change of residence or abandonment of the land by the party for more than six months at any time, under section 2297 of the Revised Statutes, unless the alleged change of residence or abandonment occurred during the lifetime of the deceased homestead party.—(Secretary's letter of December 4, 1875, case of Dorame *vs.* Towers.)

6. The right to tax lands entered under the homestead laws does not accrue to the State until the expiration of the period of residence and cultivation, and until the final proof required by law shall have been made and approved, and the final homestead certificate issued.—(Commissioner's letter to Secretary, of December 23, 1875.)

7. A homestead settler has a right to obtain the correction of a clerical error in his entry papers misdescribing the land settled upon and cultivated by him, even against an adverse entry afterwards allowed.—(Secretary's letter of January 12, 1876, case of Jefferson Newcomb.)

8. A qualified soldier can make only one additional homestead entry, under sections 2304 and 2306 of the Revised Statutes.—(Secretary's letter of April 4, 1876, case of August Block.)

9. Contest may be instituted against the entry of a deceased homestead claimant, for abandonment, if the change of residence and abandonment occurred within five years from date of entry, at any time before the title is perfected by the issuing of patent.—(Secretary's letter of April 11, 1876, case of Webber *vs.* Gomley.)

10. The restriction in the first section, act of June 21, 1866, applicable to the States of Alabama, Mississippi, Louisiana, Arkansas, and Florida, does not prohibit an adjoining farm entry to the extent of

eighty acres. Such prohibition not being express should not be inferred.—(Secretary's letter of April 12, 1876, case of Hugh C. Watson.)

11. In cases of simultaneous applications for public land under the homestead law, it is held that if neither party has improvements on the land, the entry should be awarded to the highest bidder therefor; if one has actual settlement and improvements and the other has not, it should be awarded to the settler; and if both are settlers, it should be awarded to the party found, after investigation made, to be the prior settler.—(Commissioner's letter to register and receiver, Camden, Ark., of April 13, 1876.)

12. The abandonment of an original homestead entry of less than one hundred and sixty acres will not disqualify a soldier or sailor from making an additional entry under section 2306 of the Revised Statutes.—(Secretary's letter of May 8, 1876, case of John W. Hays.)

13. A soldier's right to make an additional homestead entry under section 2306 of the Revised Statutes is not assignable.—(Secretary's letter of May 17, 1876.)

14. A contract surgeon in the Army during the war was neither officer nor soldier, but a civilian, and he is not entitled to the benefits of the soldier's homestead laws.—(Secretary's letter of May 27, 1876, case of George W. Benton.)

15. Where a woman makes a homestead entry before marriage, she cannot thereafter make a second entry as the widow of a soldier.—(Commissioner's letter to H. M. Chace, of June 12, 1876.)

16. Regular Army officers, who served during the rebellion, may initiate a homestead entry while in the army, but must establish their residence on the land within six months from date of entry, and on making final proof, must show one year's residence on the land at least, and residence for such additional period as with the time of their military service during the war may be necessary to complete the five years required under section 2291 of the Revised Statutes.—(Commissioner's letter of July 3, 1876, case of Major W. A. M. Dudley, arising in North Platte district, Nebraska.)

17. Homestead declarations filed by soldiers or sailors under sections 2304 and 2309 of the Revised Statutes, where the six months from date of filing have been allowed to pass without entry made by the parties, do not operate to prevent them from making direct entry of the land filed for, if no adverse claim has intervened, or of any other unappropriated land, in like manner as they might have done had no declaration been filed.—(Secretary's letter of August 8, 1876, case of Enoch J. Mathis and Nicholas Lahy; official circular of September 14, 1876.)

18. Where a party settled on land in the 16th section of a township in Colorado long prior to the survey thereof, it was held that he could not, by a homestead entry, prevent the tract from passing under the school grant, although had he been a qualified pre-emptor at the date of settlement and survey, which was not the case, his claim would have been the better one.—(Secretary's letter of April 29, 1876, case of Andrew Bard.)

19. Where a party dies after making a homestead entry and leaves an infant child or infant children, the entry may be relinquished by the administrator, executor, or guardian, by order of the probate court having jurisdiction. If the party leaves no minor child, the relinquishment may be made by the party or parties recognized by the local court as the sole or only legal representative or representatives of the deceased, in which event a certificate to that effect by said court should be for-

warded with the relinquishment duly executed.—(Commissioner's letter to register and receiver at Monroe, La., of October 18, 1876.)

20. In case of a homestead entry made by a guardian for the minor heirs of a deceased Union soldier, residence on the land cannot reasonably be expected, and if the land is cultivated in good faith it is a sufficient compliance with the law.—(Commissioner's letter to register and receiver at Larned, Kans., of April 9, 1877.)

21. In cases in which final homestead proof is made before the judge, or in his absence before the clerk of a court of record, under the act of March 3, 1877, the register and receiver of the district land office are entitled to the same fee for examining and approving the proof so made as if the proof were taken and reduced to writing by them, for the claimants, under the tenth subdivision of section 2238 of the Revised Statutes, viz, fifteen cents per hundred words.—(Commissioner's letter to register and receiver at Kirwin, Kans., of May 7, 1877.)

22. The act of Congress of March 3, 1877, entitled "An act for the relief of settlers on the public lands under the pre-emption laws," is only for the benefit of parties who, having filed pre-emption filings for public land, changed such filings to homestead entries after the passage of the act, and by its terms cannot operate retroactively so as to benefit parties who changed their filings before its passage.—(Commissioner's letter to register and receiver at Sioux Falls, Dak., of May 21, 1877, case of Amos R. Howard.)

23. In the matter of an application to enter, under the homestead laws, certain lands in Louisiana embraced in private claims, for which no confirmation had been found, it was held to be against policy to have such lands surveyed as public lands in order to render them subject to entry, it being considered that the final disposition of the lands and the relief of parties interested therein is a proper subject for legislative action.—(Commissioner's letter to Hon. R. L. Gibson, of June 12, 1877.)

24. In the act of Congress of March 3, 1877, which provides that final proof in homestead entries may be made before the judge, or, in his absence, before the clerk of any court of record of the county and State, or district and Territory, in which the lands are situated, the terms "in his absence" refer to the absence of the judge from the county seat or place where the court for the county is held. Where the clerk takes the proof, he should set forth in his certificate to the papers that the case was such as to authorize him to do so under the act; and for this, it will be sufficient for him to certify that the proof was made before him "in the absence of the judge," using the language of the statute.—(Commissioner's letter to W. S. Search, of June 29, 1877.)

25. In a case involving the point, it was held that a party may enter, under the homestead laws, eighty acres of double minimum land, (\$2.50 per acre,) for the use of an adjoining farm of eighty acres, in like manner as if the entered tract were held at the ordinary minimum of \$1.25 per acre, contrary to a former ruling which restricted the entry in such a case to forty acres of double minimum land, estimating the same as double the area in view of the price being double.—(Commissioner's letter to register and receiver at Topeka, Kans., of July 19, 1877, case of William Gregg.)

26. In a case in which a party through error as to his rights made a homestead entry before filing his declaration of intention to become a citizen, but afterwards did file such declaration, it was decided that the entry should be held for final proof to be made, and if it should then appear that the party was duly naturalized, that the final certificate might be issued in the case, in the absence of objection in any other

respect.—(Commissioner's letter to register and receive at Kirwin, Kans., August 18, 1877, case of Christian Hey.)

27. In case of soldiers and sailors claiming the right to make additional entries of public land, in person or by agent, under section 2306 of the Revised Statutes, it has been decided, in view of frauds having been perpetrated in connection with such claims, that the parties be required to submit the proof in support of their claims to this office, which shall be examined, and if found satisfactory, the fact certified under the official seal, and the proof, in connection with the certificate, returned to the parties, and that the district land officers allow no entries to be made unless the claims are thus certified.—(Secretary's letter of March 10, 1877; printed circular of May 17, 1877, and manuscript circular of August 22, 1877.)

#### DECISIONS UNDER THE TIMBER CULTURE LAWS.

1. The fact of there being a few trees growing on a section of public land is not sufficient to characterize the same as timber bearing, and as such to exclude it from the operations of the timber culture laws. In any such case, the application of a party desiring to enter in the section should be forwarded by the district land officers to this office with a full showing of the facts, and on receipt thereof the case would be considered and a decision rendered as to the admissibility of the desired entry.—(Commissioner's letter to W. E. Fosnat of June 6, 1874.)

2. A party having entered a tract under the timber culture laws cannot alienate any portion of the same for village or cemetery purposes without vitiating his title to the entire tract.—(Commissioner's letter to O. A. A. Gardner of July 25, 1874.)

3. There is no provision in the timber culture laws for the commuting of an entry. Having made the entry for timber culture, the party can only perfect his title by breaking the soil, and planting and cultivating the trees, according to the provisions of the timber culture laws.—(Commissioner's letter to Adam Windolph of August 17, 1874.)

4. In a case in which there was a stream of water running through the east half of the section, along the banks of which was a growth of "scrub" timber of an area, if in compact form, of from two to six acres, it was held that the land was included in the class of lands subject to timber culture entry.—(Commissioner's letter to register and receiver at Lowell, Nebraska, of October 23, 1874, case of Lampson *vs.* Dunham. Decision affirmed by Secretary, April 29, 1875.)

5. The breaking by the timber culture party of the first ten acres, "in strips, 7 feet wide and 12 feet from center to center," would not be considered a satisfactory compliance with the legal requirement. The entire area of ten acres must be broken the first year.—(Commissioner's letter to S. Goozee, of February 11, 1875.)

6. The same rules which govern in homestead contests will be applied in cases in which timber culture entries are contested.—(Commissioner's letter to L. R. Moyer, of March 11, 1875.)

7. In case of a decease of a party who has made a timber culture entry, his heirs or legal representatives may continue the cultivation of the trees, and comply in other respects with the timber culture laws, when they will be entitled to the patent.—(Commissioner's letter to G. W. Kniss, of September 2, 1875.)

8. There is no provision of law for the repayment of the fee and commissions paid on a timber culture entry, but where such an entry is canceled for illegality, without any wrongful act of the party, a new

entry may be made by him, with credit for the money paid.—(Commissioner's letter to Taylor Flick, of September 27, 1875, case of Ludwig Hartz.)

9. The timber culture act of March 13, 1874, recognizes a contestant as a party in interest, and allows him, if successful in the contest, a preference right to enter the land either under the timber culture or homestead laws.—(Commissioner's letter to the register and receiver at Concordia, Kans., of October 30, 1875, case of Kile vs. Wilson.)

10. In a case in which one party made a timber culture entry, and the next day another party filed a pre-emption declaration for the same tract, the latter alleging settlement as of a prior date, it was held that the pre-emptor's right took effect at date of settlement, and that of the timber culture claimant at date of entry; that the pre-emptor would have to prove his date of settlement before entering, and to give his adversary notice when about to make proof; or that should an affidavit be presented calling in question the alleged date of settlement and compliance with law, and asking for a hearing to be ordered to determine the rights of the parties in interest, it would receive prompt attention.—(Commissioner's letter to Lars O. Stroud, of March 27, 1876.)

11. The filing of the application and the affidavit, together with the payment of the fee, are essential prerequisites to the allowance of the entry, and he obtains the priority of right who first complies with the conditions. A verbal application can give no priority under the law, which recognizes only the formal application in writing.—(Secretary's letter of May 15, 1876, case of Daymude vs. McNeely, arising in Lincoln district, Nebraska.)

12. The *Eucalyptus*, or Australian gum tree, is indigenous to warm climates, and is considered well adapted for planting under the timber culture laws on lands situate in the southern part of California.—(Commissioner's letter to Amos Harris, of July 17, 1876.)

13. In case of the contest of a timber culture entry, if the entry is relinquished after the initiation of the contest, the relinquishment of the other party does not defeat the preference right of the contestant to enter as given in the law.—(Secretary's letter of March 19, 1877, case of Sherman vs. Atkins, and Gilbert vs. Vermillion, Larned land district, Kansas.)

14. Where a party applies to enter under the timber culture laws, and his application is held for investigation as to the character of the land, it appearing by the plats to be timber bearing, the application reserves the land for a reasonable time from further disposition to any other claimant, thereby affording the applicant an opportunity to perfect his entry thereof, should it be decided to be properly subject to the operation of the timber culture laws.—(Secretary's letter of July 31, 1876, case of Lamb vs. Reeser, Kirwin land district, Kansas.)

15. The rulings of the General Land Office restricting entries under the timber culture laws to "technical quarter sections" have been so far modified as to permit entries of parts of quarter sections, in a compact body not to exceed 160 acres.—(Commissioner's letter to register and receiver at North Platte, Nebr., of December 12, 1876, case of Frederick Bran.)

16. A strict compliance with the timber culture law in the matter of breaking, cultivating, &c., is required. The party must perform, or cause to be performed, the act of breaking ten acres of land within a period of one year from date of entry. Breaking done before date of entry cannot be appropriated by the party entering, and be claimed by

him as a compliance with the statute.—(Secretary's letter of December 23, 1876, case of *Gepner vs. Miller*, Concordia land district, Kansas.)

17. In the case of the death of a party having made a timber culture entry, who leaves a widow and heirs, his rights under the entry go to the heirs and not to the widow, contrary to the rule which prevails in similar cases arising under the homestead laws.—(Commissioner's letter to W. M. Robertson, of March 10, 1877.)

18. The timber culture laws in offering a land bounty for the production of timber on the western prairies had in view, not fruit trees or shrubbery, or trees of subordinate importance, but the object was to encourage the growth of what are known as "timber trees," comprising oak, ash, elm, and such other trees as are commonly used in ship and house building. The osage orange, although it attains a large growth in favorable localities, and is much used elsewhere for hedges, its wood being serviceable also for various purposes, is not of the class commonly used for building, to encourage the growth of which the bounty is offered, and hence its cultivation would not satisfy the legal requirements.—(Commissioner's letter to J. M. Easter, of April 9, 1877.)

19. Where a tract of public land is entered under the timber culture laws and the entry canceled, the tract is thereafter open to entry by pre-emption, but subject, if the timber culture entry was contested, to the preference right of the contestant to enter it under the homestead or timber culture laws.—(Secretary's letter of May 28, 1877, case of *Tewksbury and Christensen vs. McPeck*, New Ulm land district, Minnesota.)

20. For a tract of public land to be subject to timber culture entry the section embracing it must be naturally devoid of timber. No rule can be prescribed as to the number or kind of trees sufficient to give character to a section as timber bearing, and excluded from the operations of the timber culture laws, but cases involving the point must be decided on their merits as they arise.—(Commissioner's letter to C. C. Sprigg, of July 5, 1877.)

21. Where a party enters for timber culture land which was formerly broken up and cultivated, he is not required to do the prescribed breaking on land not before broken, but he may go over the land formerly broken and again break it and prepare it for the reception of the trees, to the extent of area and in the periods prescribed.—(Commissioner's letter to David D. Hoag, of July 18, 1877.)

#### SOUTHERN PUBLIC LANDS.

Congress, on the 22d June, 1876, passed an act repealing section 2303 of the Revised Statutes of the United States, which confined the disposal of the public lands in the States of Alabama, Mississippi, Louisiana, Arkansas, and Florida to the provisions of the homestead laws. It also provided that the public lands affected thereby should be offered at public sale, as soon as practicable, from time to time, and according to the provisions of existing law, and that they should not be subject to private entry until they were so offered.

In carrying this law into effect, five presidential proclamations have been issued for offering at public sale the lands in the several land districts in the State of Arkansas. These proclaimed offerings to take place as follows: On the 1st October, 1877, at the district land office at Harrison; on the 22d of the same month, at the district office at Little Rock; and on the 4th February, 1878, at the offices at Camden, Little Rock, and Dardanelle, respectively.



Preliminary to issuing the proclamations it was necessary to make lists of the lands, and subject the same to careful examination in connection with the records of this office and of the district offices, to ascertain the true condition thereof, with the view to exclude from the offerings any not vacant and unappropriated.

This was a work of some magnitude, the lands aggregating about nine million acres.

Proclamations will be issued and offerings authorized as soon as practicable for the sale of the public lands in the other States named, according to the requirements of said act.

#### SOLDIERS' ADDITIONAL HOMESTEADS.

In consequence of frauds having been committed in making soldiers additional homestead entries under section 2306 of the Revised Statutes, as related in my last annual report, page 119 *et seq.*, regulations have been established to prevent similar frauds hereafter, by which, where the claims were actually in the hands of agents or attorneys at the date of my circular of May 22, 1876, in regard to this class of cases, and still remain in their hands, the same will be recognized, but to this end: The papers held by agents or attorneys must be forwarded to this office, in order that a critical examination of the same may be made, upon which, if found admissible, they will be returned to the proper parties duly certified as to their sufficiency, and may thereafter be accepted by registers and receivers when presented for location.

If it shall appear that the party has already used his additional homestead privilege, or if, from any other cause, the right cannot be admitted, the parties will be promptly advised of the facts in each case.

Where the rights yet remain in the hands of the parties originally interested, which have never been presented for satisfaction or made the subject of transfer or agency, the regulations require that a full recital of military service be presented to this office, with due proof of the identity of the party making the claim, and with proper reference to his original homestead entry, giving the name of the district office, date and number of entry, and description of the land. In addition, a detailed statement, under oath, must be filed by the party in interest, setting forth the facts respecting his right to make the entry, and containing his declaration that he has not in any manner exercised his right, either by previous entry or application, or by sale, transfer, or power of attorney, but that the same remains in him unimpaired. He must also declare, under oath, that he has made full compliance with the homestead law in the manner of residence upon, cultivation and improvement of, his original homestead entry; and should further recite whether or not he has proved up his claim and received a patent for the land.

When these papers are filed and examined, they will, if found satisfactory, be returned, with a certificate attached recognizing the right of the party to make additional entry under the law; and when presented with a proper application at any district land office, either by the party entitled or his agent or attorney, they will be accepted by the register and receiver, and forwarded with the entry papers to this office in the usual manner.

In this office special proceedings are provided for in relation to all cases of this kind to be passed upon, which must secure the most careful examination and the detection of any error or intended fraud.

## D.—PRIVATE LAND CLAIMS.

During the fiscal year which ended June 30, 1877, the following cases have been disposed of:

California private land claims patented .....	21
New Mexico private land claims patented .....	5
New Mexico donation land claims patented .....	1
Oregon and Washington Territory donation land claims patented .....	377
Louisiana and Florida private land claims patented .....	20
Indian claims patented .....	99
Final approvals of entries made with certificates of location, act of June 22, 1860, and supplemental legislation .....	73
Cases in Louisiana and Florida for which script has been issued .....	11
Total .....	607

In addition to the foregoing, there have also been examined, approved, and recorded the assignments of 326 certificates of location under said act of June 22, 1860, and supplemental legislation.

The above statement has reference only to such cases as have been *finally* settled. Preliminary examinations have been made in a large number of cases, some of which have been passed for patent, while others have been suspended on account of imperfections, and are now the subjects of correspondence. A number of cases have been decided, and are now on appeal, or waiting the expiration of the time within which appeal may be taken, or, having been decided on appeal, are now waiting the execution of the decision by the proper officers.

The total number of letters received in this division of the office during the fiscal year was 1,032, and the total number of letters written was 1,135, covering 1,375 record pages.

*Decisions of the Supreme Court of the United States affecting private land claims in New Mexico confirmed by the act June 21, 1860, (Statutes at Large, vol. 12, p. 71.)*

## No. 73.—OCTOBER TERM, 1876.

JOHN G. TAMELING, PLAINTIFF IN ERROR, *vs.* THE UNITED STATES FREEHOLD AND EMIGRATION COMPANY.

In error to the supreme court of the Territory of Colorado.

Mr. Justice DAVIS delivered the opinion of the court:

This is an action by the defendant in error against Tamelings, to recover possession of one hundred and sixty acres, in the county of Costilla and Territory of Colorado. The tract is situated within the exterior boundaries of a larger one, known as the "Costilla estate," which was severed from the "Sangre de Cristo grant." The latter is known and designated as "claim No. 14 of Charles Beaubien," in the letter of the Secretary of the Interior to the Speaker of the House of Representatives, bearing date February 11, 1857. With that claim were transmitted copies of the grant, order of prefect's court, notice of claim, deed of administrator, testimony, and report.

The case was submitted to the district court on an agreed statement of facts. Judgment was rendered in favor of the plaintiff below. It was affirmed by the supreme court of the Territory, and Tamelings sued out this writ of error.

The determination of this case depends upon the effect of the act of Congress "to confirm certain private land claims in the Territory of New Mexico," approved June 21, 1860. (12 Stat., 71.) Did the act confirm the Sangre de Cristo grant to the extent of the exterior boundaries of the claim? If it did, the judgment below must be affirmed. If it did not, inasmuch as no specific portion of the land within those boundaries was severed from the remainder and confirmed to the claimants, the plaintiff below, who derives title under them, has not shown his right to the demanded premises, in possession of the defendant below, and the judgment must be reversed.

The plaintiff in error insists that, under the Mexican colonization laws in force when the grant was made, not more than eleven square leagues for each petitioner could be

lawfully granted. There were, in the present instance, but two petitioners, and the lands within the boundaries of the grant are largely in excess of that quantity.

We have repeatedly held that individual rights of property, in the territory ceded by Mexico to the United States, were not affected by the change of sovereignty and jurisdiction. They were entitled to protection, whether the party had the full and absolute ownership of the land, or merely an equitable interest therein, which required some further act of the Government to vest in him a perfect title. The duty of providing the mode of securing those rights and fulfilling the obligations which the treaty imposed was within the appropriate province of the political department of the Government. In discharging it, Congress required that all titles to real property in California, whether inchoate or consummate, should undergo judicial examination. If any claimant failed to avail himself, within a prescribed time, of the provisions of the act of March 3, 1851, and assert his rights thereunder, they were completely barred, and the land covered by the claim reverted to the public domain. The California land claims disposed of in this court were generally asserted in a direct proceeding against the United States. It became our duty, as it has been that of the board of commissioners and of the district court, to decide on the validity of the claim upon the documentary and other evidence incorporated in the record. We were required to be governed by the treaty of Guadalupe Hidalgo, the law of nations, the laws, usages, and customs of the government from which the claim was derived, the principles of equity, and the decisions of this court, as far as they were applicable. Were we exercising appellate jurisdiction over the proceedings of a court or officer especially appointed to determine the validity and extent of the grant in question, it would be our duty to either affirm or reverse the decision, pursuant to the rules which Congress has prescribed for our government. But that body adopted a different mode for the adjustment of land claims in New Mexico. By the 8th section of the act of 1854, (10 Stat., 308,) the duty was expressly enjoined upon the surveyor general of that Territory to ascertain the origin, nature, character, and extent of all such claims, under the laws, usages, and customs of Spain and Mexico. He was empowered, for that purpose, to issue notices, summon witnesses, administer oaths, and perform all necessary acts in the premises. He was required to make a full report on all such claims, denoting the various grades of title, with his decision as to the validity or invalidity of each of the same, under the laws, usages, and customs of the country before the cession to the United States. That report, according to a form to be prescribed by the Secretary of the Interior, was to be laid before Congress for such action as might be deemed just and proper.

It will thus be seen that the two modes for the determination of Spanish and Mexican land claims were radically different. In California, a procedure essentially judicial in its character is provided for securing an adjudication of them, with the right of ultimate appeal, by either the claimant or the United States, to this court. The surveyor general of New Mexico is clothed with large powers, and required to decide upon the validity of each claim. Final action on the subject is reserved to Congress. Such action is, of course, conclusive, and, therefore, not subject to review in this or any other forum.

It is obviously not the duty of this court to sit in judgment upon either the recital of matters of fact by the surveyor general or his decision declaring the validity of the grant. They are embodied in his report, which was laid before Congress for its consideration and action. We need only say that the facts are distinctly set forth that Luis Lee and Narciso Beanbien, September 27, 1843, petitioned the then civil and military governor of New Mexico "for a grant of land in what is now the county of Taos, embracing the Costilla, Culebra, and Trinchera Rivers, including the Rito of the Indians, and Sangre de Cristo to its junction with the Del Norte River;" that the petition was referred by the governor to the prefect, with instructions to give the possession asked for by the petitioners; that they were put in possession, with the boundaries contained in the petition, "vesting in them, their children and successors, a title in fee to said lands." After setting forth that, by the death of one of the parties, Charles Beanbien, as his heir at law, inherited the undivided half of the land, and that he acquired the remainder from the administrator of the other grantee, the conclusion is reached that the grant is a good and valid one, and that a legal title vests in Charles Beanbien to the land embraced within the limits contained in the petition. The grant was approved and recommended for confirmation by Congress.

Congress acted upon the claim "as recommended for confirmation by the surveyor general." The confirmation being absolute and unconditional, without any limitation as to quantity, we must regard it as effectual and operative for the entire tract.

Objections to the validity of the grant have been earnestly and elaborately pressed upon our attention. This was matter for the consideration of Congress, and we deem ourselves concluded by the action of that body. The phraseology of the confirmatory act is, in our opinion, explicit and unequivocal. We have at the present term, in *Ryan et al. vs. Carter et al.*, recognized and enforced as the settled doctrine of this court that such an act passes the title of the United States as effectually as if it contained in

terms a grant *de novo*, and that a grant may be made by a law as well as by a patent pursuant to law.

Judgment affirmed.

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
Washington, D. C., March 10, 1877.

SIR: I have the honor to invite your attention to the decision of your predecessor dated December 31, 1869, in the matter of the survey of the private land claim in New Mexico known as the Beaubien and Miranda or Maxwell grant, wherein it is held, notwithstanding the fact that natural landmarks were called for, that said claim was not confirmed by the act of June 21, 1860, to any greater extent than eleven square leagues to each claimant, which said decision also contained instructions to this office, in effect, that where a Mexican colonization grant is confirmed without measurement of boundaries or of distinct specification of the quantity confirmed, either in the statute or in the report upon which confirmation was made, no greater quantity than eleven leagues to each claimant shall be surveyed.

In other words, the effect of said decision was to apply the restriction prescribed by the law of the Mexican Congress of August 18, 1824, to a legislative confirmation of a claim by specific boundaries.

The Supreme Court of the United States, at its October term, 1876, rendered a decision (copy herewith) in the case entitled John G. Tameling, plaintiff in error, *vs.* The United States Freehold and Emigration Company, which, in all essential particulars, is a case parallel to the aforesaid Beaubien and Miranda case, wherein it will be observed it is held, Congress having acted upon the claim "as recommended for confirmation by the surveyor general," "the confirmation being absolute and unconditional, without any limitation as to quantity, we must regard it as effectual and operative for the entire tract." "We have at the present term recognized and enforced as the settled doctrine of this court that such an act passes the title of the United States as effectually as if it contained in terms a grant *de novo*, and that a grant may be made by law as well as by a patent pursuant to law."

The doctrine announced in said decision of the Supreme Court being diametrically opposite that set forth in the aforesaid decision of the Department, I have the honor to request that I be instructed as to how I shall proceed in the adjudication of like cases in the future.

Very respectfully, your obedient servant,

HON. Z. CHANDLER,  
*Secretary of the Interior.*

J. A. WILLIAMSON,  
*Commissioner.*

DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D. C., March 16, 1877.

SIR: I have the honor to acknowledge the receipt of your communication of the 10th instant, addressed to my predecessor, inclosing the decision of Mr. Secretary Cox, dated December 31, 1869, in relation to the survey of the Beaubien and Miranda claim to lands in New Mexico and Colorado, in which the rule was laid down for that and all like cases, "that where a Mexican colonization grant is confirmed without measurements of boundaries, or of distinct specification of the quantity confirmed, either in the statute or in the report upon which confirmation was made, no greater quantity than eleven square leagues to each claimant shall be surveyed and set off to them; that such quantity shall be surveyed in tracts of eleven square leagues each, the general position of such tracts to be selected by the grantee, and the tract to be then surveyed as compactly as is practicable."

You also transmitted a copy of the decision of the Supreme Court of the United States at its October term 1876, in the case of John G. Tameling *vs.* The United States Freehold and Emigration Company, a case similar in all essential particulars to the case of Beaubien and Miranda, in which the court say, "Congress acted upon the claim as recommended by the surveyor general." "The confirmation being absolute and unconditional, without any limitation as to quantity, we must regard it as effectual and operative for the entire tract."

The decision of the Supreme Court must be taken as the true construction of the law, by which the rights of parties are to be determined.

You will hereafter be governed by the rule laid down by the court in said case in all similar cases, and patents will issue for the tract recommended by the surveyor general and confirmed by an act of Congress, notwithstanding it may exceed in amount eleven square leagues of land.

The papers transmitted with your letter "D," of March 10, 1877, are herewith returned.

Very respectfully,

THE COMMISSIONER OF THE GENERAL LAND OFFICE.

C. SCHURZ.  
*Secretary.*

## DIVISION E.—SURVEYING DIVISION.

Number of letters received .....	2,617
Number of letters written .....	2,164
Number of folio pages of record occupied .....	1,664½
Number of reports on adjusted accounts .....	1,160
Number of folio pages of record occupied .....	580½
Amounts of adjusted and reported accounts .....	\$550,054

## SURVEYING.

The act of appropriation for the fiscal year ending June 30, 1877, (vol. 19, p. 120,) provided for the expenditure of \$300,000 in the survey of public lands and private land claims. This sum has been apportioned among the several surveying districts as follows:

For surveys in—	Public lands.	Private claims.
Arizona .....	\$13,500	\$2,000
California .....	23,500	5,000
Colorado .....	20,000	.....
Dakota .....	23,500	.....
Florida .....	5,000	.....
Idaho .....	13,500	.....
Louisiana .....	7,000	.....
Minnesota .....	13,500	.....
Montana .....	17,000	.....
Nebraska .....	25,000	.....
Nevada .....	20,000	1,000
New Mexico .....	13,500	17,000
Oregon .....	23,500	.....
Utah .....	20,000	.....
Washington .....	20,000	.....
Wyoming .....	16,500	.....
Totals .....	275,000	25,000

Under date August 23, 1876, instructions, modified in accordance with the requirements of the act of appropriation, were issued to the several surveyors-general, substantially as follows:

By an act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1877, and for other purposes, approved July 31, 1876, there was appropriated:

1st. "For survey of the public lands and private land claims, three hundred thousand dollars: *Provided*, That the sum hereby appropriated shall be expended in such surveys as the public interest may require, under the direction of the Commissioner of the General Land Office, with the approval of the Secretary of the Interior, and at such rates as the Secretary of the Interior shall prescribe, not exceeding the rate herein authorized: *Provided*, That no lands shall be surveyed under this appropriation except—

"First. Those adapted to agriculture without artificial irrigation.

"Second. Irrigable lands, or such as can be redeemed, and for which there is sufficient accessible water for the reclamation and cultivation of the same, not otherwise utilized or claimed.

"Third. Timber lands bearing timber of commercial value.

"Fourth. Coal lands containing coal of commercial value.

"Fifth. Exterior boundary of town sites.

"Sixth. Private land claims.

"The cost of such surveys shall not exceed ten dollars per mi'e for standard lines, and the starting point for said surveys may be established by triangulation; seven dollars for township and six dollars for section lines, except that the Commissioner of the General Land Office may allow for the survey of standard lines in heavily timbered land a sum not exceeding thirteen dollars per mile." "And *provided further*, That before any land granted to any railroad company by the United States shall be conveyed to

such company, or any persons entitled thereto under any of the acts incorporating or relating to said company, unless such company is exempted by law from the payment of such cost, there shall first be paid into the Treasury of the United States the cost of surveying, collecting, and conveying the same by the said company or persons in interest."

In conformity to law the Secretary of the Interior, under date of the 22d instant, (August, 1876,) out of said appropriation of \$300,000, apportioned the sum of \$13,500 for the surveys in your surveying district at the rates prescribed by law, which must not be exceeded in letting contracts for the field work, *specifically authorized under the six heads hereinbefore enumerated*, and you are hereby directed not to expend any portion of the apportionment in the survey of any other quality of lands than such as are prescribed by the foregoing provisions of the appropriation act.

In order to secure a strict compliance with the law, you are instructed to give priority of survey to lands *already settled* upon, and to require your deputies to execute the work in person, or under their immediate personal supervision in the field and in accordance with the printed manual of surveying instructions, and your special instructions, which must not conflict with the manual or the existing laws.

You will caution your deputies, who must be practical surveyors and familiar with the Government surveys, not to commence their surveys before the approval of their contracts by the Commissioner of the General Land Office.

With the view of reaching distant settlements awaiting the extension of the lines of public surveys, and to bring such localities within the range of the regular system of the public surveys, provision of law has been made for the determination of the starting point of surveys by triangulation instead of starting from standard parallels or the auxiliary bases prolonged over sterile and unsurveyable lands.

It will, therefore, be in your power to contract for the survey of such tracts, in case exigencies occur which seem to require it. The cost of triangulating in such cases not being provided for by law, will not constitute a proper charge in the accounts of your deputies against the Government.

Where the country intervening between the public surveys and the unsurveyed settlements is of an arable or surveyable character, the proper base should be extended in the usual manner, for which the deputy would be paid at the legal rate.

In letting contracts for the subdivision of the public lands, you are required to stipulate the condition that the survey *must include all the lands in the township contracted for subdivision*, which are by law classed as surveyable; and, except in case of triangulation, that the deputy shall start from the proper bases or standard parallels.

If these last shall not have been established, that must first be done, and then, if there are no exterior lines of the township surveyed, the deputy must first survey them and finally subdivide the township into sections, running, measuring, and marking the lines from *south to north*, in the regular process, avoiding the practice in some surveying districts of surveying partly from north to south and partly from south to north, leaving the interior of the township partly unsectionized, ostensibly for specious reasons assigned, that the rough and mountainous features of the country precluded the possibility of extending the lines over the same. Subsequently, the unsurveyed portion of such townships is frequently settled upon, and under the deposit system the survey of the township is completed without difficulty, except that the last surveyor finds it impossible in such cases to connect his work with the corners of the previous surveys by due north and south or east and west lines as the law requires.

In order to obviate similar irregularities in your district you must enjoin your deputies to strictly adhere to the system of public surveys, and comply with the printed Manual of Surveying Instructions and the existing laws *as illustrated on diagrams A, B, and C of the Manual*, and the requirements of instructions from this office dated April 14, 1875, in reference to the establishment of stone corners by witnessing them by pits.

The modification introduced in the supplemental printed instructions of June 1, 1864, requiring navigable rivers to be meandered on one bank only, is hereby rescinded, and you will therefore cause both banks of such streams to be meandered in future, conformably to the printed Manual of Surveying Instructions, of February 22, 1855, at page 15, legalized by act of Congress approved May 30, 1862.

In cases where townships have formerly been partly surveyed, and it becomes necessary to complete the same, you are directed to instruct your deputies to fully describe the old corners identified by them in the field, and from which they will start in the completion of the surveys, and to state in their field notes the kind of corner, bearing trees, or other witnesses to the same, so that there will be no doubt as to the proper corner from which additional surveys are initiated.

The particular localities in your surveying district requiring earliest surveys are left to your election, but you will exercise your best judgment in the selection thereof, so as to subserve the interests of the actual and bona fide settlers on public lands who may apply to you for the extension of the lines of public surveys.

At the same time you will not omit other meritorious claims, and you will bear in mind that you must confine the surveying liabilities within the sum apportioned and



appropriated for the present fiscal year, which must not be exceeded under any circumstances.

For the information of this office you are required, whenever special instructions are issued by you at the time of contracting for work, to forward a copy of the same with the contract, and when instructions are issued during the performance of the work in the field a copy of the instructions must accompany the returns of survey.

As the form of contract now used includes the preliminary oath of the deputy, it is unnecessary to repeat such oath at the commencement of the field notes of survey.

When one final affidavit is made to cover the returns of several townships, you are required to have stitched together the notes of all the townships included in such affidavits.

Very respectfully,

J. A. WILLIAMSON,  
Commissioner.

As an additional safeguard in the promotion and preservation of the integrity of the public surveys, the following circular, bearing date January 30, 1877, was issued to the several surveyors general:

SIR: The attention of this Department having been directed to the fact that persons holding commissions and under bonds as deputy mineral surveyors are in some instances employed as clerks and draughtsmen in the offices of the respective surveyors general, I have to direct that such employment be immediately discontinued, being contrary to the well settled rules of the Department and to that sound public policy which requires that the entire public service be kept free and separate from that of private individuals.

It will at once be manifest to the most casual observation that the entry upon your records, and the preparation for your approval of surveys in mineral cases, should not be confided to the hands and judgment of the persons employed by interested claimants in making the surveys of the claimed locations upon the ground.

Persons employed by you in such confidential relations to the Government as clerks and draughtsmen, will, therefore, be required to surrender their commissions as mineral surveyors, or sever their connection with your office as employes.

J. A. WILLIAMSON,  
Commissioner.

JANUARY 30, 1877.

Approved:

Z. CHANDLER,  
Secretary of the Interior.

*Abstracts of operations during the fiscal year in the several surveying districts. For detailed statements see accompanying annual reports of the surveyors general.*

**Idaho.**—The sum of \$13,500 was assigned for surveys in Idaho. Under this apportionment, four contracts were let. The returns of two contracts have not been made, on account of the late period of going to the field. Four townships were surveyed, the area of which is 92,111 acres; 334 townships of public lands previously surveyed, having an area of 5,463,541 acres, and 38 townships of Indian lands, with an area of 463,182 acres, make a total of 6,018,834 acres surveyed, up to June 30, 1877. \$5,868.20 was expended for salaries, and \$1,496.63 for incidentals—both from regular appropriations. Twelve township plats and four descriptive lists were prepared. The sum of \$87 was deposited for office work on six mineral claims. The estimates for the year ending June 30, 1879, are, for salaries, \$7,000; incidental expenses, \$2,000; surveys, \$34,840; total, \$43,840. The surveyor general recommends the sale of the sage-brush lands in large quantities—states that they can be irrigated and made to produce large crops of grain, and that these lands never will be taken up under the homestead and pre-emption laws. He also recommends that the timber lands be sold for cash, in tracts of eighty or one hundred and sixty acres to one individual, and thus be made to yield a revenue to the Government.

*Washington Territory.*—Out of the assignment of \$20,000 for public surveys in the Territory of Washington during the year ending June 30, 1877, there were let five contracts.

Owing to the lateness of the passage of the appropriation bill, in August, 1876, many of the surveys contracted for had not been returned at the end of the year.

Out of the special deposits of \$2,226.98 for public surveys, four contracts were let, the survey under one of which was disapproved, and the money refunded to the depositories.

The area surveyed and returned up to June 30, 1877, out of the year's assignment and special deposits, was 311,692 acres, involving the running of 1,069 miles of standard, township, section, and meander lines.

There was also surveyed during the year 80,720 acres out of the assignment for the preceding year, with distances run and marked of 306 miles of township, section, and meander lines.

Owing to the reduced rates per mile for surveys, none were made west of the Cascade Mountains.

The original, duplicate, and triplicate plats of 27 townships, with transcripts of the field notes and descriptive lists of 76 townships for the United States Land Office, were prepared in the office of the United States surveyor general.

The amount expended for salaries of the surveyor general and his clerks was \$7,873.81, of which \$7,061.14 was appropriated by act of August 15, 1876, \$400 by deficiency appropriation, and \$412.67 was deposited for office work.

The estimates for the year ending June 30, 1879, are \$88,704 for public surveys, and \$12,400 for salaries.

*Arizona.*—For the year ending June 30, 1877, the United States surveyor general made four contracts for surveys of public land, payable out of the assignment of \$13,500; also, two contracts payable out of special deposits, one being for location No. 5, heirs of Luis Maria Baca; the other for township 16 S., R. 25 E., containing Sulphur Spring ranch.

Number of miles surveyed was 2,041. Thirty townships were subdivided in whole or in part, making an area surveyed during the year of 603,000 acres of public land, which, with the surveys prior to June 30, 1876, amounts to 3,773,033 acres.

There were surveyed twenty-three mining claims, and deposits for office work on same amounted to \$920. The public lands were surveyed upon application of *bona fide* settlers.

The amount paid for salaries during the year was \$7,797.83, of which \$1,500 was deposited by individuals, and the balance was from the appropriation; \$1,490.67 was expended for incidentals.

The number of plats made in the surveyor general's office was 208, including 92 of mining claims.

*Estimates.*—For surveys of public lands during year ending June 30, 1879, \$20,000, and for survey of confirmed private claims, \$5,000; for salaries, \$9,500, including \$2,500 for a clerk to aid in investigation of title to private land claims; for incidental expenses, \$2,500. Total, \$37,000.

In view of the extensive and important grazing interests in Arizona, the surveyor general reports that increased appropriation for surveys is necessary, and at the same time a change in the law, so that grazing lands may be surveyed and title to them obtained by persons pursuing that branch of industry, and also by settlers in narrow valleys, where the lands now classed by law as surveyable only include parts of quar-

ter sections, and the adjacent grazing lands are literally classed unsurveyable.

*Desert land act.*—Not quite one hundred declaratory statements made under it, twenty-six of which are on unsurveyed land, nearly all by actual residents of Arizona. Some applicants under the act have taken their claims in a zigzag shape, confining it to lands on or near a level with the streams.

The surveyor general cites one case where a claim was taken so as to embrace fifty-four corners. These are not connected with the public surveys.

Recommends an amendment to the law to avoid the difficulty in future of having to close the lines of public surveys upon such irregular-shaped tracts.

*Dakota Territory.*—Amount of field work executed during the year ending June 30, 1877 :

Township lines 23 miles 51.61 chains, comprising sixty-five townships, with an area of 1,488,003 acres, making a total of 17,800,664 acres surveyed in the Territory, exclusive of Indian and military reservations.

The sum expended for field work was \$23,500, and was divided into ten different contracts.

In the office of the United States surveyor general there were prepared the original duplicate and triplicate plats of the sixty-five surveyed townships, and transcripts of the field notes were prepared and forwarded to the General Land Office.

The rapid development of the mineral resources of the Black Hills country will greatly increase the office work during the present fiscal year.

The estimates for the year ending June 30, 1879, by the United States surveyor general, are as follows :

For surveys.....	\$50,000
For salaries of surveyor general and clerks.....	6,500
For contingent expenses.....	2,500

*Nebraska.*—The sums available for surveys of public lands were \$25,000 from the general appropriation, and \$250.87 deposited by the Union Pacific Railroad Company for field work. Of the former sum, all except \$300.86 has been paid upon work embraced in two contracts. Payment has been made of \$2,019.15 out of deficiency appropriation, to White and Hull, for former survey of Ottoe and Missouri Indian reservation. A contract for a survey of Fort Kearney reservation, under act of July 21, 1876, appropriating \$3,000, was entered into, the returns of which have not yet been made. Seventy-two miles of standard, 535 miles of exterior, and 3,371 miles of subdivisional lines were run and marked. Fifty-six townships were subdivided. The sum of \$5,607.32 has been expended for salaries, and \$1,698.54 for incidental expenses. The amount of special deposits made by railroad companies remaining unexpended at the commencement of the year, was \$9,794.07, to which \$10.23 has been added, making the present unexpended balance of special deposits for office work \$9,804.30. There remains an unexpended balance of the appropriation for salaries, for the year, amounting to \$322.84. Original, duplicate, and triplicate maps, transcripts of field notes, and descriptive lists of fifty-four townships were prepared during the year. The estimates for the fiscal year ending June 30, 1879, are : For surveys, \$88,785; salaries, \$11,600; incidental expenses, \$3,000. Total for the service, \$103,385. The field of future surveying operations will be for the most part the section of country watered by the Niobrara River.

*California.*—The apportionment for surveys for the fiscal year was \$23,500. Under it 30 contracts, extending to 117 townships, surveyed in whole or in part, have been entered into. Of these, 19 have been completed, 3 were either wholly or partially canceled, and the remainder are in various stages of progress. Twenty-eight contracts for the survey of public lands, payable from special individual deposits, were made during the year, of which 9 are yet incomplete. Of the \$5,000 appropriated for expenses connected with the surveys of private land claims, \$3,325 have been expended. One hundred and forty-two mining claims were surveyed, at a cost to special depositors for office work of \$5,917.10. The linear extent of the public land surveys for the year was 4,898 miles. The total area surveyed, including private land claims, is 1,623,781 acres. The amount paid to deputy surveyors for surveys of public lands is \$11,575.08, leaving the sum of \$11,925 applicable to payments upon contracts not yet completed. Incidental expenses of the office, \$5,000. The compensation of clerks and draughtsmen engaged upon public land surveys amounts to \$14,600. There remains an unexpended balance of appropriations for this service of \$978.26. The special deposits for surveys of public lands were \$6,718.48, and for office work of the same, \$2,237.56. The special deposit account for the year is charged with \$12,725.83, and the amount credited to said account is \$12,241.13, showing a deficiency of \$484.70.

One thousand three hundred and forty-eight plats, maps, and tracings were made in the office during the year, of which 337 were original, 366 sent to the Department, and 307 were forwarded to local land offices. One hundred and thirty-four transcripts of field notes of public surveys were made during the year. A large number of documents relating to the private land claims of California have been transmitted to the Department. The surveyor general's estimate of the sum required for the surveying service for the fiscal year ending June 30, 1879, is \$167,750.

The scant congressional appropriations have been entirely inadequate for the survey of lands required for immediate settlement, and the reduced rates of compensation render it an impossibility to secure competent deputy-surveyors. As a consequence, settlers desiring surveys are obliged to advance the funds necessary to pay for the work. All moneys paid by such depositors in excess of the amounts allowed by the Government for the surveys are lost to them. The hardships thus imposed have been partially remedied by the restoration of the original rates of compensation for field-work. Most of the plain and all the arid waste lands of Southern California have been surveyed. In the northern part of the State there are yet many fertile, well watered valleys, embracing valuable forests, which are yet unsurveyed.

The interest of the State in the settlement of the lands, and that of the General Government in disposing of the timbered lands, will be promoted by early surveys in such districts. The present appropriation for clerical and draughting service is inadequate. The delays incident to the confirmation or rejection of claims growing out of the old Spanish land grants, and to the settlement of boundaries, have been serious drawbacks to the permanent settlement of the country. Titles to nearly all of the grants have been passed upon, but many cases are pending on questions of survey; many suits before the courts are yet undecided, and others will doubtless be commenced.

Applications for surveys of mineral lands have increased in number during the year. Many new mines have been located, and others, that have from time to time been abandoned, have been resumed.

Renewed activity exists in the development of the petroleum interest,

operations in which are at present chiefly confined to Ventura County, where there are now eleven producing wells. A district of country, on the edge of Tulare Valley, gives promise of an abundant yield of petroleum, and is attracting capital in that direction.

The ancient record of Southern California shows that ever since its occupation by the Spaniards it has been visited by seasons of drought so severe, that stock have perished from hunger and thirst, and that at times, by order of the government, large numbers have been destroyed in order that the remainder might be saved. Owing to these irregularities in the quantity of rainfall, almost all of Southern California, not susceptible of irrigation, may properly be considered desert lands, notwithstanding the fact that they yield abundantly in favorable seasons. The question of irrigation, in connection with that portion of the State, is therefore an important one, and the passage of laws by Congress, tending to the encouragement of works similar to those in use in older inhabited parts of the world, which would thus reclaim the desert land, would prove to be a public benefit.

Much energy has been displayed in the construction of railroads in California. Serious difficulties, of a topographical nature, have been overcome, and the lines have been carried across uninhabitable deserts and rugged mountains to rich and inviting valleys, thereby opening to the settlers new agricultural districts, which heretofore have been practically inaccessible.

The Southern Pacific Railroad, which has been pushed forward at an immense cost of construction, has been extended to the eastern limit of the State, on the Colorado River.

*Nevada.*—Twenty thousand dollars was assigned for public surveys in Nevada, for the year ending June 30, 1877.

Under this assignment four contracts were entered into, the surveys under two of which have not been returned.

Sixteen townships of agricultural and grazing land have been wholly or in part subdivided, embracing a surveyed area of 262,844 acres. Four hundred and seventy-one dollars and twenty-three cents was deposited by the Central Pacific Railroad Company for surveys, and \$235.61 for office work.

One hundred and four mineral claims were surveyed with an area of 1,277 acres, one salt land tract of 1,280 acres, and one town site of  $89\frac{52}{100}$  acres. The amount deposited for office work on said last named surveys was \$3,180, it being \$30 for each case.

The Sutro Tunnel grant was also surveyed at an expense of \$996, which was paid for out of the appropriation of \$300,000 for the survey of public lands and private land claims.

From the statement of the State controller of Nevada, appended to the surveyor general's report, it appears that the gross value of the yield of Nevada mines during the year was over \$41,000,000.

The amount expended for salaries during the year was \$6,552.71. The amount appropriated was \$7,883.42, leaving a balance of \$1,330.71 unexpended.

Nineteen hundred dollars was appropriated for incidental expenses, of which all but \$9.52 was expended.

Five hundred and twelve plats were made, of which four hundred and twenty-nine were of mineral claims.

The estimates for fiscal year ending June 30, 1879, are: For surveys of public lands, \$56,000; for salaries, \$9,300; and for contingent expenses, \$4,400.

*Florida.*—At the date of the last report there were three uncompleted

surveying contracts; of these, two have since been completed. The latter relate to the survey of islands on the Gulf Coast, and the unfinished work is the survey of an island in Lake Jessup.

Three contracts were entered into, during the fiscal year, for the survey of river and lake islands, and of lands and islands on the Gulf coast, from which no returns have yet been received. Twenty-one township plats have been furnished to the local land office. The special individual deposits for the year for the survey of public lands amount to \$195. The total cost of surveying operations for the year, including salaries of surveyor general and clerks, and the contingent expenses of the office, is \$17,200. The unfinished coast work of the previous fiscal year includes Charlotte Harbor. When it and the Georgia boundary have been completed, the field work of the district thus far authorized will be exhausted.

South of the surveys now in hand, there are areas of the character donated to the State as swamp lands, but there is no provision of law for their conveyance to the State until surveyed. Some of the lands in this portion of the district are regarded as the most valuable of any in the State. The State and local land offices show a large and continually increasing tide of immigration, and soil and climate favor a continuation of the present general prosperity. The recent enactments opening the public lands to pre-emption and other entries, will prove of much benefit to the State and people.

*Louisiana.*—Seven thousand dollars was assigned for surveys in Louisiana, out of which two contracts were made. One has been completed and the other partially.

The United States surveyor general estimates that 25 per cent. of the homestead entries in Louisiana are fraudulent, and are only made for the purpose of cutting off valuable timber, then abandoning the lands. Recommends that deputy surveyors be furnished by the local offices with abstracts of all homestead entries in their respective townships under contract, and that the deputy furnish a sworn report of the condition of such tracts, whether abandoned, &c., so that, if necessary, the entry could be canceled. Where the townships being despoiled are not in contract, that the surveyor general be authorized to send the deputies into such townships to examine them and report.

The surveyor general renews his recommendation made in 1874, that Congress pass a law to confirm certain unconfirmed private land claims in Louisiana, which claims do not, he states, exceed in extent 80,000 acres, excluding the Houmas grant and a few others of large extent. He asks again for an appropriation to enable him to bring up the arrears of office work, two items of which are as follows:

First. The notes of 784 townships of old surveys should be copied and copies sent to the General Land Office. Some of the old records were lost during and since the war, and cannot be renewed.

Second. Under the law the United States surveyor general is required to furnish the local land office patent plats to the number of 6,170, of claims heretofore surveyed.

In consideration of the arrears in the above and other matters, an appropriation of \$14,000, for fourteen clerks at \$1,000 each, is asked for to prepare plats and field notes.

The estimates for 1878-'79 are For surveyor general and regular clerks, \$6,800; for fourteen extra clerks, \$14,000; for contingent expenses, \$2,000; for surveys, \$64,450.

Of this amount \$34,800 is estimated for completing the resurveys in



the southwest district, made in 1807 and now obliterated, of which there are 44 townships.

These resurveys are necessary to enable the Government officers to identify the Government timber lands being despoiled. Seven thousand eight hundred and fifty dollars is estimated for resurveys in the southeast district, and for the location of private land claims; \$14,000 for surveys of pine timber lands in southwest district; \$1,800 for finishing the survey of lands on Southeast Pass of Mississippi River, &c., and \$6,000 for original surveys of islands in the several districts, traversing the Sabine River, locating private claims, and finishing survey of townships 4 S., ranges 1 and 2 E. southwest district, contracted for by J. L. Bradford, July 26, 1875, but not surveyed for lack of funds.

Total estimate for surveys at \$12 per mile for township, and \$10 for section lines, \$64,450. Total estimate for surveying service, \$87,250.

*Minnesota.*—Surveys were made in this State to the extent of 33 townships, with an area of 532,510 acres, which, with amounts previously surveyed, make the present surveyed area in the State to be 39,282,418 acres. Distances were run and marked to the extent of 2,162 miles.

The amount of the appropriation assigned to Minnesota for surveys was \$13,500, which was exhausted in five contracts.

The completion of the survey of the Leech Lake Indian reservation, under contract of June 24, 1875, was also made. Two islands in Cedar Lake were meandered, expense of same paid out of a special deposit.

Besides miscellaneous work, the original duplicate and triplicate township plats to the number of eighty-nine were prepared in the office.

An increase in clerical force is asked for to bring up arrears of office work.

The estimates for 1878-'79 are: For surveys, \$34,030; for salaries, \$10,500. Proposed surveys are of timber lands along the international line, and of mineral lands in Lake Superior region.

In view of great depredations on timber, recommendation is made that a law be passed to allow timber lands to be disposed of at private sale or entry immediately after survey and appraisal.

*Utah.*—The surveyor general shows that during the year the surveys of public lands have been principally confined to the western and southern portions of the Territory. The share of the general appropriation for surveys apportioned to Utah for the fiscal year ending June 30, 1877, was \$20,000. The work performed during the year embraced the establishment of meridian lines, standard parallels, and township and subdivisional boundaries, the total linear extent of which is 3,457 miles 78.77 chains. In this mileage is included unfinished work contracted for during the previous fiscal year, and the whole was done at a cost of \$25,568.12. The amount chargeable to the fiscal year just closed is \$13,063.90, leaving an unexpended balance from the apportionment of \$6,936.10. The surveying operations extended to 96 townships, adding to the surveyed area of Utah 881,483 acres of agricultural and grazing land, and 64,137 acres that furnish evidence of the existence of underlying minerals of commercial value.

(In addition to the above, which shows a total of 945,620 acres of newly surveyed land, 64,389 acres were incidentally resurveyed in consequence of a necessity for the identification of the lines of some of the earlier surveys, in order that the lines of surveys about to be commenced might be connected therewith. This work was performed by the deputy surveyor, who submitted returns of the same in the usual manner, but in the absence of any appropriation therefor the work was not accepted. The recognition by the General Land Office of the re-

turns of the resurveys of lost lines being of importance to the occupants of the lands, special deposits of amounts equivalent to their cost was made by the interested individuals, whereupon the returns have been approved.)

The total surveyed area to date is shown by the report to be 7,983,684 acres, which includes 411,819 acres of mineral claims at present isolated from the general public land surveys. The number of mining claims surveyed during the year is 89, and the sum of \$2,515 was deposited by individuals on account of office work pertaining to surveys of that class. Twenty-eight plats and descriptive lists were furnished to local offices. The sum of \$885 was deposited during the year by individuals on account of surveys of agricultural lands. The office work upon mineral and agricultural claims for the year amounted to \$3,000.19. The special deposits for the year applicable to said work amounted to \$2,681. The balance, \$319.19, being supplied from unexpended special deposits of previous years. Five hundred and eighty-three plats were made in the office of the surveyor general, of which 203 were retained, 120 forwarded to the General Land Office, 104 sent to local offices, and 156 furnished to claimants. Two hundred and ten transcripts of field notes were also prepared. The appropriations of \$6,600 for salaries of surveyor general and others, and of \$1,750 for contingencies, were expended in the service.

An estimate accompanies the report, setting forth that the sum required for carrying forward surveying operations in Utah for the fiscal year ending June 30, 1879, in extent and manner calculated to best serve the public interest, is \$67,500. The office is reported as being in arrears of work necessary in the preparation of maps and field notes of 31 mining districts, the cost of which is estimated at \$2,000. The surveyor general renews suggestions made in his preceding annual report concerning the depredations which are continually reducing the value of the timbered lands belonging to the Government, asserting that the robberies amount to millions of dollars. He further recommends as the best means of protecting the public interest and of promoting the early settlement of the country, the passage of an act authorizing the sale of timbered lands for cash, and removing restrictions which at present prevent the acquirement of title to so-called arid, desert, and worthless lands in large bodies.

*Wyoming Territory.*—Under five contracts, the exterior township lines of twenty-eight townships, involving the measuring and marking of 255 miles, have been surveyed and established, and fifteen townships subdivided into sections, with an area of 336,400 acres, and number of miles run in subdividing, 883.

The most eastern of these surveys embraced lands on which settlements are already made, and timber of good quality is found. Some portions of this region are broken by the eastern slope of the Black Hills range.

The middle portion of these recent surveys are within the limits of the Union Pacific Railroad grant, and comprise large bodies of coal lands; soil inferior.

The most western surveys are also within the United States land grant, and comprise large bodies of coal lands, on which several mines have been successfully worked.

The whole amount deposited by the Union Pacific Railroad Company for survey of lands inuring to the company, up to June 30, 1877, is \$2,621.59, of which \$1,595 has been expended in surveys, and \$1,026.59 is yet available.

Three copper mining claims have been surveyed in the Earnest mining district, Carbon County.

The lateness of the season, and limited appropriation, greatly reduced the surveys of 1876. It is unfortunate that the price of surveying per mile should have been reduced when the survey of the plains has been completed and that of the mountainous and timbered lands just commenced. Liberal pay is necessary to secure good work at this stage of the survey.

The aggregate of the public surveys in Wyoming up to June 30, 1877, including subdivisions within the Shoshone Indian reservation, mining claims, and coal reservations, amounts to 7,706,178 acres, of which 235,000 acres are reported as coal lands. The surveyed agricultural lands are better for grazing than for farming purposes.

The survey of the north half of the east boundary is now being established.

Of the aforesaid recent surveys, contracted for by this office and payable out of the appropriation of July 31, 1876, of \$16,500, made for surveys during the fiscal year ending June 30, 1877, the original field notes of the exterior and subdivision lines were approved.

The original plats of township and subdivision lines have been placed on file, and a copy of each plat transmitted to the General Land Office.

The original field notes, &c., of all the aforesaid surveys have been transmitted to the General Land Office.

Two hundred and sixty-six lists descriptive of corners, &c., of 163 townships and fractional townships have been compiled and transmitted to the proper local land offices, and the register's receipt for the same placed on file.

Whole amount of special deposits for office work \$1,062.29 to June 30, 1877.

The original field notes of the resurvey of the "Centennial soda mining claim," and of the three surveys of copper mining claims, have been examined and approved, and transcripts of each survey made, &c.

A larger clerical force will be soon required to perform the increased office work on mining claims. Many of the Black Hills will doubtless be found to be in Wyoming.

The amount paid for salaries during the year was \$7,380.55, the most of which was from the regular appropriation.

The United States surveyor general recommends that the line between ranges 93 and 94 west of the sixth principal meridian be adopted as the boundary between Cheyenne and Evanston land districts, as this line will nearest coincide with the thirty-first degree of longitude west from Washington, which is the present boundary, and is not surveyed.

The surveyor general estimates the sum necessary to carry forward the public surveys for the fiscal year ending June 30, 1879, at \$57,696 for field work and \$13,000 for office work and contingent expenses; total, \$70,696.

Accompanying the report is a statement of the monthly mean temperature in Wyoming from June 30, 1876, to June 30, 1877, and of the daily temperature in January and February, 1877.

*Oregon.*—The surveyor general of Oregon reports that the sum of \$23,500 for public surveys in Oregon was apportioned out of the appropriation of \$300,000.

There was also deposited by individuals \$716 for field work of public surveys, and there was also available \$782.68 of such deposits in former years unexpended, making a total of \$24,998.68 available for surveys.

Out of this sum nine contracts were entered into, most of which were unfinished at date of report.

The area of land surveyed during the year, under said nine contracts, was 419,410.39 acres, which with 74,476.13 acres surveyed under unfinished contracts of former years makes 493,886.52 acres returned during the year, at a cost of \$18,584; 18,883.17 acres were of the Siletz Indian reservation, subdivided into 20 acre tracts. Plats and diagrams of surveys of public lands were made to the number of sixty-eight; also forty-four plats of mineral surveys.

The appropriation of \$7,761.14 for salaries of surveyor general and clerks was expended except four cents.

There was also paid for clerk hire out of special deposits for office work on surveys \$202, leaving an unexpended balance of \$106.67 of the \$3,081.67 deposited by individuals.

For incidentals the amount expended was \$1,299.70, leaving \$200.30 unexpended from the appropriation of \$1,500.

The estimates for the year 1879 are as follows: for fieldwork \$61,304, for salaries \$12,000, and for incidentals \$1,500.

The surveyor general reports large quantities of grain shipped to Europe, China, &c., from Oregon.

Amount of gold yield for the year, \$1,500,000. The State authorities have made selections of swamp lands to a vast extent, and reported the same to the surveyor general's office.

Recommendation is made that Congress enact laws for the protection of timber from spoliation.

*Montana Territory.*—The amount assigned for public surveys in Montana was \$17,000. Under this assignment four contracts were entered into, all of which have been completed and returns made.

Surveys were made, wholly or in part, of fifty-four townships, with an area of 790,359 acres.

Number of miles run and marked was 2,570. The area previously surveyed was 8,854,741 acres, to which add the area during the year, 790,359, and 1,165 acres of mineral claims on unsurveyed land, gives a total of 9,646,265 acres surveyed in the Territory. One contract for survey under special deposit not yet returned.

In the office of the surveyor general there were prepared the original, duplicate, and triplicate plats of fifty-four townships; also transcripts of the field notes and descriptive lists for the district land office.

Plats of mineral claims, &c., were also prepared, which, including the township plats, amounted in all to 589 in number.

The amount expended for salaries of United States surveyor general and his clerks was \$16,620, of which 6,000 was appropriated by Congress, and the rest was paid out of special deposits for office work on mineral claims, the amount of such deposits during the year being \$1,810.

The number of lode and placer claims ordered surveyed during the year was seventy-four.

The estimates submitted by the United States surveyor general for the year ending June 30, 1879, amount to \$125,010, \$106,710 of which is for surveys, \$13,800 for salaries, and \$1,500 for incidental expenses, including the mounting and binding of 600 maps, 1,500 field note books, &c.

A large share of the report is devoted to an account of the development of the mineral resources of the Territory.

*Colorado.*—The public surveys have been prosecuted under sixteen contracts to the extent of the apportionment of \$20,000 out of the appropriation of \$300,000.

Seven contracts for surveys under deposits amounting to \$3,389, of which \$416.44 was refunded as an excess of deposit over cost of survey.

Twenty-eight townships were subdivided west of the sixth principal meridian, and twenty-four east and west of the New Mexico meridian.

The surveyor general states that not one-fourth part of the surveys was made which were asked for by actual settlers, and that not less than one hundred unsurveyed townships are occupied by settlers. He reports a very prosperous agricultural condition in the State, and that grain will be exported this year instead of being imported.

Above seventy miles of railroad have been built and equipped during the year. He states that the remaining unsurveyed lands are mostly in mountainous districts, and that deputies will not undertake work in such a country unless the rates per mile are increased.

He recommends the survey and sale of the timber lands so as to enable settlers to acquire title to them and prevent depredations upon Government lands. Alluding to the difficulty at present found in obtaining a conviction for such depredations, he states that in some cases the judge and jury were at the time kept warm by the wood cut from Government land.

Two hundred and twenty mineral claims were surveyed, and in each case a deposit of \$16 or \$25 was deposited for office work. There was also deposited for office work on public surveys \$1,208; making a total deposit of \$4,728.

For salaries and clerk hire there was paid \$11,915.22, of which \$6,552.72 was paid out of the regular appropriation of \$6,600, and \$5,362.50 was paid out of special deposits for the past and former years.

The amount of office work performed is not stated, but the surveyor general states that his office work is very much in arrears, (descriptive lists not having been made for 4 years' surveys,) and will be more so at the end of the year 1878, on account of the apportionment of \$35,000 for surveys, with only \$3,000 for clerk hire.

He estimates that \$135,000 is necessary for surveys during 1879, with a corresponding amount for clerk hire of \$10,800, and for contingent expenses \$3,000.

He states that the cash sales of lands for the past five years in Colorado amount to double the cost of surveys for the same period.

He estimates the western boundary of Colorado as 280 miles, at \$70 per mile, \$19,600.

**NEW MEXICO.**—Out of the appropriation of \$300,000 for surveys of public lands and private land claims, \$13,500 was apportioned for public surveys, and \$17,000 for private claims.

Under two contracts for public surveys, there were run and marked about 135 miles of standard and meridian lines, (including 14½ miles of the 4th correction line south re-established,) 321 miles of exterior lines, and in the subdivision of 31 townships 1,656 miles of section lines, costing in the aggregate \$13,504.45, or \$4.45 over the apportionment.

The area subdivided is 653,722.87 acres, which, added to the area formerly surveyed, makes a total of 7,307,157 acres in New Mexico, embraced in 341 townships.

Of private land claims, the surveyor general states that since his last report eleven have been surveyed and returned, the expense of which has been paid out of the appropriation for the year ending June 30, 1876.

Sixteen others have been surveyed under the apportionment of \$17,000 for the past year.

In surveying the eleven claims, a distance of 708 miles was marked, at a cost of \$10,372.83.

In surveying the sixteen claims, a distance of 425 miles, at a cost of \$8,332.95, for field work, and \$684.42 for office work.

If only the field work is chargeable against the apportionment of \$17,000, the sum of \$667.05 remains unexpended.

The aggregate area of private claims surveyed during the year is 2,171,259.30 acres. Three of these grant surveys were resurveys, viz: Pueblo of Acoma, letter B; Los Trigos, No. 8; and Chilili, No. 11,—the former surveys of these claims having been disapproved.

The map accompanying the report shows public surveys, grants, &c., and one additional Indian reservation, viz: the Zani Pueblo, on the New Mexico-Arizona boundary. This grant was made in 1869, filed in surveyor general's office in 1875, but has not yet been acted upon by the surveyor general.

The amount expended for salaries was \$3,899.95, and for contingent expenses \$1,677.10. The office work comprised the examination of the field notes of all surveys, preparation of plats in triplicate.

In the investigation of private land claims a large amount of office work is required. This work is several years behind, as also the descriptive lists of public surveys for local offices, none having been furnished since 1868; hence an additional clerical force is needed.

The rent paid by Government has been reduced from \$600 per annum to \$480; and by subletting part of the building at \$20 per month still further to \$240 per annum.

The estimates for year 1879 are as follows: For surveys, \$100,000; salaries, \$14,000; contingent, \$4,500. Total for surveying service, \$118,500.

In explanation of the surveying estimates, the surveyor general states that he has in numerous instances received petitions from settlers for surveys which he could not contract for on account of the small appropriation.

He asks a liberal appropriation for surveys of grazing lands, grazing being the principal interest in the Territory. He wants the law amended so as to allow this class of lands to be surveyed. He says that in most cases only one-fourth or one-half of any one township falls within the class of lands now defined as surveyable by law, the rest of the township being grazing land, although not irrigable, and hence not agricultural.

He recommends the passage of a law limiting the time for filing and prosecution of private land claims, and that either the United States district attorney be required to represent the Government in the investigation of these claims, or that the supreme court of the Territory be the arbiter between the United States and the claimants.

He reports recent discovery of veins of superior mica.

Total estimated yield of gold, silver, copper, and lead during the year is \$850,000.

Only one mining claim surveyed in the year, and one entry under the desert land act.



The areas of public lands surveyed during the fiscal year ending June 30, 1877, aggregate as follows:

States and Territories.	Acres.
Arizona .....	496,495.90
California .....	1,258,394.94
Colorado .....	1,581,058.06
Dakota .....	1,488,807.34
Florida .....	
Idaho .....	200,682.76
Louisiana .....	115,323.84
Minnesota .....	527,679.05
Montana .....	796,593.91
Nebraska .....	1,338,188.32
Nevada .....	322,931.91
New Mexico .....	630,971.67
Oregon .....	645,362.63
Utah .....	724,496.92
Washington .....	360,755.90
Wyoming .....	359,339.24
Total .....	10,847,082.00

The following table exhibits the progress of surveys and the disposal of public lands since 1866:

Fiscal year ending June 30—	Surveying district.	Land offices.	Cost of surveys, including salaries and contingent expenses.	Number of acres—	
				Surveyed.	Disposed of.
1867 .....	12	62	\$423,416.22	10,808,314	7,041,114.00
1868 .....	13	68	325,779.50	10,170,656	6,665,742.00
1869 .....	12	66	497,471.00	10,822,812	7,666,151.00
1870 .....	17	81	560,210.00	18,165,278	8,095,413.00
1871 .....	17	83	683,910.00	22,016,607	10,765,705.00
1872 .....	17	92	1,019,378.66	29,450,939	11,864,975.64
1873 .....	17	90	1,305,531.67	33,834,178	13,030,606.87
1874 .....	17	96	995,353.39	29,492,110	9,530,872.93
1875 .....	17	97	1,030,180.24	26,077,531	7,070,271.29
1876 .....	17	97	1,269,321.94	20,271,506	6,524,326.36
1877 .....	16	99	550,054.03	10,847,082	3,440,738.13

#### RESERVATIONS OF PUBLIC LANDS.

*Public lands set aside for military reservations, town site and salmon fishery purposes during the year ending June 30, 1877.*

#### IN MONTANA.

*Missouri Valley.*—By President's order of February 19, 1877, section 31, township 13 north, range 19 west, was reserved for military purposes.

*Tongue River.*—By request of Secretary of War January 20, 1877, the Secretary of the Interior directed a temporary reservation of 20 miles square at the mouth of Tongue River. Survey is to be made by War Department, and President's order obtained.

## IN NEBRASKA.

*Camp Robinson.*—President's order of November 14, 1876, reserved a tract of 4,679 acres on White River, at the mouth of Spring Creek, near Red Cloud agency.

*Camp Sheridan.*—Also, by order of November 14, 1876, a tract of 1,503 acres, near and a little north of Spotted Tail agency.

## IN ARIZONA.

*Camp Apache.*—Formerly was within the White Mountain Indian reservation, but by the President's order of January 26, 1877, was restored to the public domain, and by order of February 1, 1877, was declared a military reservation. Area, 7,421.14 acres.

*Camp Thomas.*—President's order of May 18, 1877. Area about 10,487 acres. This reservation is partly within the limits of Camp Goodwin, which was reserved in 1867, and has not been restored to the public domain.

## IN WYOMING.

*Fort Fetterman.*—President's order February 9, 1877, declared a new wood reservation, containing 2 square miles, south by east of Fort Fetterman and 35 miles from it by road.

*Military reservations enlarged.*

## IN ARIZONA.

*Camp Verde.*—By President's order of August 17, 1876, Camp Verde reservation was enlarged so as to contain 9,293.79 acres, including that reserved March 30, 1870, but not including the post garden reservation of October 24, 1871, recommended by the War Department to be restored to the public domain.

## IN UTAH.

*Fort Cameron.*—Was enlarged by President's order of April 13, 1877, so as to contain in all 15 square miles.

*Military reservations reduced.*

## IN WYOMING.

*Fort Laramie.*—By act of Congress approved August 14, 1876 this reservation is reduced to its original limits of 54 square miles.

## IN DAKOTA.

*Fort Sully.*—President's order of January 17, 1877, reduces it so as to leave out that portion west of the east bank of the Missouri River.

*Fort Totten.* within the Indian reservation for the Cut Head band of Yanktonais Sioux.—By direction of the Secretary of War this reservation was reduced, July 28, 1876, to the following limits: First, to include all the islands in Devil's Lake; second, the tract bounded on the east by the line dividing ranges 64 and 65 west, on the south by the Cheyenne River, on the west by the line dividing ranges 65 and 66 west, on the north by Devil's Lake.

## IN FLORIDA.

*Fort Brooke.*—By President's order of January 22, 1877, the War Department resumed control over a portion of this formerly relinquished reservation, including the Government buildings, the spring, and right of way thereto.

## IN COLORADO.

*Town-site reservation.*

*Pagosa Hot Springs.*—By President's order of May 22, 1877, one square mile, including the Pagosa Hot Springs, in Southwestern Colorado, was reserved as a prospective town site.

*United States fishery reservation in California.*

*McCloud River.*—This reserve, ordered by the President, December 9, 1875, upon survey is found to embrace the following legal subdivisions, viz: S. E.  $\frac{1}{4}$  of N. E.  $\frac{1}{4}$  and N. E.  $\frac{1}{4}$  of S. E.  $\frac{1}{4}$  of section 22; also the N. W.  $\frac{1}{4}$  and N. W.  $\frac{1}{4}$  of S. W.  $\frac{1}{4}$  of section 23, township 34 north, range 4 west, Mount Diablo meridian.

## SURVEY OF CHEROKEE LANDS IN NORTH CAROLINA.

By act of Congress approved June 23, 1874, there was appropriated \$15,000 for the survey of the lands of the Eastern Cherokee band of Indians in North Carolina. Of this amount, \$791.35 was paid to Francis A. Douy, special agent of the Department, who made a preliminary examination and report upon the claims of the said Indians to lands in North Carolina, in 1874.

In March, 1875, by direction of the honorable Secretary of the Interior, a contract was entered into with Maj. S. Temple, for the survey of the lands of said Indians as described in the award of the arbitrators in the case of "The Eastern Band of the Cherokee Indians vs. William H. Thomas and others," &c., made in October, 1874, and confirmed by the United States circuit court in November following.

The amount of the appropriation paid to the special agent left \$14,208.65, which has been paid to the surveyor for surveys of the Indian lands. In addition to this amount paid him for surveying, there has been paid to him \$2,159.27, the same being a deficiency appropriation by act approved March 3, 1877.

The work of the survey has been done under instructions from this office and by direction of the honorable Secretary of the Interior, and has consisted in surveying and marking the outboundaries of what is known as the "Qualla boundary," which is a tract containing some fifty-one thousand acres, in Swayne and Jackson Counties. This tract has been marked off into townships, and within and near the Qualla boundary there have been surveyed and marked individual tracts or farms to the number of 481, including seventeen tracts inside the boundary, which are claimed and partly settled upon by white people claiming title under the State laws of North Carolina, although but one of these seventeen tracts was declared by the arbitrators in the award to be owned by white persons, within the general boundary claimed by and decreed to the Indians.

Finding these white settlers there, with title from the State, and finding the Indians also in possession of part of the disputed lands, the sur-

veyors marked off their lands and left it to the Department to decide who are the lawful owners.

Mr. Temple has also surveyed and marked fifty-three individual tracts for Indians in the Chevah country, in Graham and Cherokee Counties.

There still remain unsurveyed in the Chevah country, in Cherokee County a few individual tracts, mentioned in the award of the arbitrators; also forty-three tracts taken for the Indians in satisfaction of certain judgments, as authorized by act of Congress approved August 14, 1876. For the survey of these lands an estimate of \$4,000 was submitted to Congress, in February, 1877, by the Office of Indian Affairs, which estimate was reduced in the appropriation bill to \$1,500, and was made payable out of the Indian trust fund. In consequence of the limited amount of the appropriation, no contract has been entered into for the completion of the survey of said lands.

#### SURVEY OF ALLEGANY INDIAN RESERVATION OF CATTARAUGUS COUNTY, NEW YORK.

The survey of the Allegany Indian reservation, owned and occupied by a portion of the Seneca Nation of Indians, and which is situated in the southwestern part of Cattaraugus County, in the State of New York, was completed on the 16th of January of the present year. The special commissioners authorized by act of Congress February 19, 1875, (Stat., vol. 18, p. 330,) have, in compliance with the requirements of law, made returns which, upon due examination, have met with the approval of this office.

The duties of the commission, so far as the boundaries of the reservation are concerned, consisted in the restoration of the original boundaries, as established in the year 1798, by authority of the State of Massachusetts, which State at that date controlled the pre-emption rights of the lands in question. From the same source, the rights of Robert Morris were acquired, which, under the sanction of Congress, were by him conveyed to the Senecas in the year 1797.

The reservation is briefly described in the instrument by which these lands, with others, were conveyed, as "a piece or parcel of forty-two square miles at or near the Allegany River."

The location of this "piece or parcel" of land, as determined by the original survey made in the year 1798, placed the lands of the reservation in a position embracing the Allegany River, for a distance of nearly forty-one miles, approaching to and receding from the banks of the stream at distances varying from one-fourth of a mile to two miles.

In addition to its population of 900 Indians, the 800 tracts or subdivisions of the reservation, which have been surveyed under the direction of the special commission appointed under the act of 1875, are occupied by about 4,000 white inhabitants, who acquire their rights of occupancy by leases, which are in some cases authorized by the Seneca Nation, and in others based upon the individual authority of different members of the tribe.

Several large manufacturing establishments have been attracted to the locality by the water power in the vicinity of Salamanca, which is considered second to no other in Western New York.

At this point lumber machinery is in operation, having a capacity of 5,000,000 feet of sawed lumber per annum. This product, together with articles manufactured therefrom, and the chemical extracts from barks useful for tanning purposes, are shipped in large quantities to remote parts of the country.

The New York and Erie Railroad, following the valley of the Alleghany, enters the reservation at the village of Vandalia, and traverses it for a distance of 11.66 miles. Upon this line are also the villages and stations of Carrollton and Great Valley. The eastern terminus of the Atlantic and Great Western Railroad, and its point of connection with the Erie Railway, is at West Salamanca. Upon this line the village of Red House is situated. This road occupies the reservation for a distance of 12 miles, leaving it at a point  $3\frac{1}{2}$  miles west of the last named village. The Rochester and State Line Railroad diverges from the New York and Erie at Salamanca and crosses the reservation boundary line in the distance of  $1\frac{1}{4}$  miles from that point. The Bradford branch of the New York and Erie leaves its main line at the village of Carrollton, and passes over  $2\frac{3}{4}$  miles of the Indian country.

The topographical map prepared by the special commission shows that this tract, which appears to have been chosen by the Indians with reference to its value as fishing and hunting grounds, is not well adapted to the purposes of agriculture, as much of the surface is subject to overflows, while other portions are broken, approaching to mountains in character, some of the higher lands reaching an altitude of 600 feet above the level of the river. The total area of land and water in the reservation has been found to be 30,166 acres.

Section 2 of the act authorizing the survey, (U. S. Stat., vol. 18, p. 330,) provides—

That the President of the United States shall appoint three commissioners, whose duty it shall be, as soon as may be, to survey, locate, and establish proper boundaries and limits of the villages of Vandalia, Carrollton, Great Valley, Salamanca, West Salamanca, and Red House, within said Alleghany reservation, including therein, as far as practicable, all lands now occupied by white settlers, and such other lands as in their opinion may be reasonably required for the purposes of such villages, and they shall cause a return of their doings in writing, together with maps of such surveys and locations duly certified by them, to be filed in the office of the county clerk of the county of Cattaraugus, in said State, there to be recorded and preserved. The boundaries of said villages so surveyed, located, and established shall be the limits of said villages for all the purposes of this act.

The law also requires—

That it shall be the further duty of the said commissioners to cause all lands within such villages now leased, as hereinbefore mentioned, to be surveyed and defined as near as may be, and to cause the same to be designated upon the maps of such villages hereinbefore mentioned and provided for.

The act further provides in specific terms for the preservation of rights which have been acquired, from time to time, by both races now occupying the soil.

The members of the special commission, Messrs. Joseph Scattergood of Pennsylvania, John Manley of New York, and Henry Shanklin of Kansas, received notifications of their appointment by letters dated March 23, 1875, and, on their acceptance of the trust, proceeded to the discharge of their duties without unnecessary delay. Their letters asking fuller instructions than those embodied in the act of Congress, having been referred to the Office of Indian Affairs, the honorable Commissioner of that bureau construed the terms of the fifth section of the act as above quoted as requiring a survey of each lot of the reservation, where the same is separately occupied or separately leased. The honorable Commissioner further recommended that "all matters of detail be proper subjects for the exercise of discretion by the commission, who shall endeavor to execute the law according to their best judgment, and report their action as required by the Department."

There being no specific appropriation under the act creating the com-

mission, a portion of the appropriation providing for the survey of Indian reservations was set apart for that purpose. The sum thus provided was finally fixed at \$4,500. The commissioners were further instructed, in reply to their letter of inquiry, dated April 30, that their accounts "will embrace all items of expenditures in connection with their respective duties," and they were also informed that one of their number, who might act as disbursing officer of the commission, could, upon the filing of proper bonds, receive advance payments to be accounted for in final settlement.

On the 3d of June, 1875, the special commission transmitted a certified copy of a resolution adopted by the council of the Seneca Nation asking the said commission to apply to the Secretary of the Interior of the United States to appropriate a sufficient amount of funds to pay for the surveying of the Allegany and Cattaraugus reservation. The commission also at the same time submitted a communication setting forth the fact that they "found difficulty in ascertaining the lines of the Allegany Indian reservation according to the original survey made in 1798." The commission further states that—

A survey of the reservation was made in 1841 by Silas Cornell, who presented a map of it to the Seneca Nation. This survey differs materially from that of 1798, and makes the contents more than 1,200 acres less than the original reserve. We regard the original survey made in 1798, by Richard M. Stoddard, which was, by authority of the legislature of the State of New York, authorized to be used in evidence in the courts of that State, as the authoritative survey, and the one which should govern our survey in the location of the several villages authorized in the act of Congress of the 19th of February, 1875.

In the progress of our work we have become convinced that many of the line-marks have been obliterated, and as a consequence encroachments will very likely be made upon the lands embraced within the reservation. We are informed that this has already occurred in several instances, and the Indians having no authoritative marks are prevented from getting intruders to acknowledge their claims.

The special commissioners further expressed the opinion that "it would be greatly to the advantage of the Indians to have the lines of the reservation determined and marked," and that in accordance with such opinion they had determined to run and mark the north line of the reservation for a distance of fifteen miles, or for a greater distance if necessity seemed to require it.

They further expressed the opinion that it would be desirable to have the lines defined around the whole reservation, but not finding themselves clearly authorized by law to do so, the commission requested fuller instructions on the subject.

In reply to the foregoing communication, the Acting Commissioner of Indian Affairs, to whom it was referred, submitted the recommendation to the Department—

That the commission be instructed that they should have so much of the boundary of the Allegany reservation surveyed as in their discretion is necessary to carry out the intent of the laws under which they are acting, having due regard in incurring expense to the amount which has been estimated to be set apart from the appropriation for the survey of the Indian reservations, (\$191,820 by act March 3, 1875,) to defray the expense of this commission, namely, \$4,500. If further surveys of the boundaries of either of the reservations referred to are deemed necessary to protect the interests of the Indians, estimates to defray the expenses can be submitted to Congress at the next session.

The commission, acting upon these latter instructions, which were approved by Department letter bearing date June 10, 1875, extended their operations to the survey and restoration of the boundary lines of the reservation as established in the year 1798. The work of restoring these lines, the aggregate length of which is 67.92 miles, proved to be a difficult and tedious undertaking.



The original boundaries, which have evidently been established in accordance with the wishes of the Indians, and so run as to embrace within the reservation certain topographical features, is composed of fifty-one angles. Many of these lines pass over rugged surfaces which, the pine and hemlock timber having been removed, are now covered with a dense growth of underbrush that greatly hindered the search for original land-marks. Only two of the original corners of the boundary line were found to be in a good state of preservation; at many points, however, which have been designated upon the general map, the remains of corners or of witness-trees were found to furnish evidence that the lines as re-established adhered faithfully to those of the original survey.

The commissioners report that their work in restoring the boundary has, in like manner as the subdivisional surveys, received the approbation of all parties interested in the same.

In order that the numerous boundary corners restored by this survey should be perpetuated the commission caused the preparation of hollow cast-iron cylinders, five feet in length and six inches in diameter, which were provided with solid heads suitably marked by letters cast thereon. These monuments were placed at a depth of four feet below the natural surface of the ground, the remaining portion, one foot in length, being protected by a mound which was built up around it.

The supervision of the labors of the commission was transferred from the office of the Commissioner of Indian Affairs to this office on the 7th of August, 1876. During the progress of the work the commission have, from time to time; by written reports and verbal explanations, furnished this office with satisfactory evidence of faithful and intelligent service, and on the 30th of April, 1877, they submitted a general statement of accounts, accompanied with estimates placing the amount of money necessary to complete the work at \$15,500.

This sum was appropriated by the Forty-fourth Congress at its first session, by act approved July 31, 1876. (Stats., chap. 246, p. 120.)

In addition to full accounts and vouchers of expenses incurred, the returns made by the commission consist of—

- 1st. Copies of map and field notes of the survey of 1798.
- 2d. Bound volumes of transcripts of the 800 leases.
- 3d. Field notes of the recent surveys made under direction of the special commission, and of the locations of all the villages of the reservations, namely, Vandalia, Carrollton, Great Valley, Salamanca, West Salamanca, and Red House.
- 4th. A general map of the reservation made from the recent surveys, showing the boundary lines, locations of the several villages, and all the principal topographical features of the reservation.

5th. Folio maps or plats suitable for binding and preservation in this office, showing all the villages and leased lands in detail, and the conflict of lines as leased with those of the lands as actually occupied by the lessees, and showing the names of all occupants of leased lands.

A large general map was also prepared, under the direction of the commission, showing all the features above enumerated, and which the commissioners have, as they report, filed in the office of the clerk of Cattaraugus County, New York. The documents bear date of execution January 16, 1877.

#### TEXAS BOUNDARY.

During the year, information was communicated by the War Department to the Hon. Secretary of the Interior that the State of Texas as-

served jurisdiction over that part of Indian territory between the Red River and the North Fork of Red River as a part of her domain.

A report upon the subject having been called for from this office, the following was submitted to the Hon. Secretary of the Interior for information of the War Department:

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
Washington, D. C., May 10, 1877.

SIR: I have the honor to acknowledge the receipt, by reference from the Department for report, of a letter from the Secretary of War, dated the 3d instant, inclosing copy of a statement of the commanding officer at Fort Sill, to the effect that a map of Texas, in his possession, represents that part of Indian territory bounded on the north and east by the North Fork of Red River and on the west by the one hundredth meridian, as a portion of the State of Texas called Greer County.

The Secretary of War invites attention to the remarks of the commanding general, Department of the Missouri, asking that a decision be made on the question of jurisdiction over the tract above described.

In reply, I have the honor to report that the question of the jurisdiction over that portion of country represented upon maps from this office as a part of Indian territory, and lying between Red River and the North Fork of Red River, was originally defined to be within the United States of America:

1st. By the treaty of limits between Spain and the United States, signed February 22, 1819. (U. S. Stats. at Large, vol. 8, page 254, art. 3.)

In this treaty the line from the south, after reaching Red River, was to follow the course of Red River westward to the degree of longitude 100 west from London, then to cross said river, and thence due north to the river Arkansas, &c., \* \* \* "the whole being as laid down in Melish's map of the United States, published at Philadelphia, improved to the 1st of January, 1818."

2d. By treaty with the United Mexican States, January 12, 1828, (U. S. Stats., vol. 8, p. 372, art. 1,) confirms the validity of the limits described in the treaty with Spain, February 22, 1819, and art. 2 quotes the boundary line.

3d. The joint resolution for annexing Texas to the United States, March 1, 1845, (Stats. at Large, vol. 5, p. 797,) stipulated that the territory properly included within and rightfully belonging to the republic of Texas may be erected into a new State to be called the State of Texas.

4th. By joint resolution of December 29, 1845, (U. S. Stats., vol. 9, p. 108,) the State of Texas was admitted into the Union in accordance with the terms of the joint resolution of March 1, 1845, cited above.

5th. By the astronomical survey made of the 100th meridian west from Greenwich, being the boundary line between the Choctaw and Chickasaw country, in the Indian territory and the State of Texas, in the month of April, 1859, under contract of 13th of October, 1857, between Messrs. A. H. Jones and H. M. C. Brown and the Commissioner of Indian Affairs, the initial point of the boundary was determined to be at the intersection of the said meridian with what is designated upon maps from this office as Red River, and a monument was established thirty chains due north from the north bank of the river.

The surveyors in their field notes of the survey remark: "The river due south from monument is 76 chains and 85 links wide from high-water mark to high-water mark; while the North Fork of Red River is 23 chains wide. It will be sufficient to say to those interested that there can be no doubt as to the fact of its being the main branch of Red River, as was doubted by some persons with whom we had conversed relative to the matter before seeing it, for the reason the channel is larger than all the rest of its tributaries combined, besides affording its equal share of water, though like the other branches in many places the water is swallowed up by its broad and extensive sand-beds; but water can, at any season of the year, be obtained from 1 to 3 feet from the surface in the main bed of the stream. Captain Marcy, in his report and map, also specifies it as the Keche-ah-que-hono, or main Red River."

6th. Under the act of Congress approved June 5th, 1858, (U. S. Stats., vol. 11, p. 319,) authorizing the President of the United States in conjunction with the State of Texas to run and mark the boundary line between the territories of the United States and the State of Texas, and by the second section of said act, it was required that landmarks be established at the point of beginning on Red River, and at the other corners, &c.

Accordingly, joint commissioners on the part of the United States and the State of Texas proceeded to the field in May and June, 1860, and commenced work from the point where the 100th meridian crossed the Canadian River; they retraced the meridian line established by Messrs. Brown and Jones in 1859, as aforesaid, and prolonged

it farther north to the intersection of the 36° 30' of north latitude, or the northeast corner of the State of Texas, thereby determining the jurisdiction over said territory west of the North Fork of Red River to be within the United States.

Referring to that part of the report of Lieutenant Ruffner, chief engineer officer Department of Missouri, (received with letter of Secretary of War,) wherein Lieutenant Ruffner states that the tract in question is represented upon maps from the Interior Department as public land, I have to say that this land is a part of the *ceded lands to the United States by the Choctaws and Chickasaws* by treaty of April 28, 1866, (see U. S. Stats. at Large, vol. 14, page 769,) and forms a part of Indian territory, though not yet permanently located by any tribe of Indians.

The strip of land north of Texas and west of the 100th meridian, the jurisdiction over which is also referred by Lieutenant Ruffner, is *public land* belonging to the United States, and as proposed by act of Congress approved September 9, 1850, vol. 9, p. 446, was subsequently relinquished by the State of Texas (see proclamation of the President, U. S. Stats. at Large, vol. 9, p. 1005) declaring act of 1850, respecting the boundaries of Texas, to be in force.

In consideration of the foregoing statement, it is the opinion of this office that the land in question is within the jurisdiction of the United States and does not belong to the State of Texas, as the map of the State, in the possession of the commanding officer at Fort Sill, is made to represent as belonging to Texas. The opinion is based on the fact that the Red River mentioned in the treaty with Spain in 1819, as laid down on Melish's map and referred to in the treaty, is identical with the present main Red River delineated on the maps of the United States, as upon inspection of the map referred to in the treaty, and now on the files of the State Department, is made to appear. Additional evidence of the identity of the Red River as represented on the Melish map with the main Red River as shown on the maps of this office, consists in the fact that the map of the United States of the republic of Mexico by Disturnell, published in Spanish in 1848, compiled from the best authorities and laws of Mexico, and which was used by the Mexican boundary commission in surveying the boundary between the United States and the republic of Mexico, corroborates the course of the Red River as laid down on the Melish's map referred to in the aforesaid treaty with Spain in 1819.

It further appears that neither the Melish map nor that of Disturnell's shows the North Fork of the Red River, and hence the latter could not have been regarded at the cotemporaneous dates of the treaties as the boundary between the United States of America, Spain, Mexico, or finally the republic of Texas.

In view, therefore, of the foregoing data the extreme portion of the Indian territory lying west of the present North Fork of the Red River and east of the 100th meridian of west longitude from Greenwich, having been ceded by Spain to the United States, subsequently confirmed by the United Mexican States by treaty of January 12, 1828, and not claimed by Mexico since her independence from Spain, estops the State of Texas from claiming jurisdiction over that part of the Indian territory, her own maps of later dates showing the same as embraced within Greer County to the contrary notwithstanding.

The letter of the Secretary of War, with its inclosure and the wrapper, are herewith returned.

I have the honor to be, very respectfully, your obedient servant,

J. A. WILLIAMSON,

Commissioner.

Hon. CARL SCHURZ,

Secretary of the Interior.

#### RE-ESTABLISHING LOST CORNERS.

This office is frequently in receipt of letters from county surveyors and others in various parts of the country, seeking information in regard to the proper method of re-establishing lost corners of the public surveys.

There being no special law upon the subject, this office has prepared the following rules, based upon the act of February 11, 1805, which declares that all corners marked in the surveys shall be established as the proper corners of sections or subdivisions of sections, which they were intended to designate; that the boundary lines actually run and marked in the field shall be the proper boundary lines of the sections or subdivisions for which they were intended, and that the lengths of such lines

as returned by the surveyor general shall be held and considered as the true lengths:

1st. The original corners, when they can be found, must stand as the true corners they were intended to represent, even though not exactly where strict professional care might have placed them in the first instance.

2d. Missing corners should be re-established in the identical localities they originally occupied. When the point cannot be determined by existing land marks in the field, resort must be had to the field notes of the original survey. The law provides that the lengths of the lines, as stated in the field notes, shall be considered as the true lengths thereof, and the distances between corners set down in the field notes constitute proper data from which to determine the true locality of a missing corner; hence all such should be restored at distances proportionate to the original measurements between existing original corners. That is, if the measurement between two existing corners overruns or falls short of that stated in the field notes, the excess or deficiency should be distributed proportionately among the intervening section lines between the said existing corners standing in their original places.

As has been observed, no existing original corner can be disturbed, and it will be plain that any excess or deficiency in measurements between existing corners cannot in any degree affect the distances beyond said existing corners, but must be added or subtracted proportionately to or from the intervals embraced between the corners which are still standing.

#### RAILROADS.

In the adjustment of land grants for railroad purposes considerable progress has been made. In July, 1872, a division was organized in this office to which are referred all questions growing out of the adjustment of railroad, wagon road, canal, and other internal improvement grants.

The examination of settlers' claims in conflict with those of railroad companies forms a large part of the business of this division.

Prior to 1871 it was the practice of this office to treat all reversions of alternate sections within the limits of such grants as inuring to railroads, and the only question relating to settlement was determined by the date of its inception.

By the ruling of the Department, made during that year, known as the "Boyd decision," the practice was changed, and the adjustment is no longer confined to the question of the right of the first settler or homestead claimant, but the right of the parties is now determined by ascertaining the exact status of the land at the date the grant took effect. A party originating a claim prior to such time is permitted to enter. In the case of a pre-emption claim, if the party abandon the land prior to the attachment of the company's right, or was not legally qualified to have perfected an entry, the land is awarded to the company upon its complying with the terms of its grant. If the person was qualified and had a *bona fide* subsisting claim to the land at the date when the grant became effective, the tract reverts to the Government and again becomes subject to appropriation under the laws of the United States.

By the decision of the Department of February 7, 1877, in the case of Chalkley Thomas *vs.* The Saint Joseph and Denver City Railroad Company, the ruling respecting homestead entries was modified, and it was decided that a legal homestead entry of record segregates the land from the mass of public lands and excepts the tract covered thereby from the operation of a railroad grant attaching during the existence of such

entry, thus relieving the settler from the expense of a hearing to establish the facts in detail respecting the homestead claimant's residence, cultivation, &c. Hearings are in constant progress for the investigation of the first named conflicting claims, but they are not now held in the cases of homestead entries except where, in the record itself, or upon allegations presented by the company, sufficient reason is found for the belief that the entry was invalid.

These hearings are held before the district officers, and are reported by them to this office. Upon an examination of the testimony an award is made, subject to appeal within sixty days to the Secretary of the Interior. If no appeal is filed the award is made final.

Up to the close of the fiscal year 2,729 cases had been received and docketed, of which 2,449 have been acted upon, and either settled by award, so far as the action of this office is concerned, or remanded for further testimony or other action at the local offices, leaving on the dockets 280 cases received prior to June 30, 1877. It may be remarked that 1,888 of those cases have been finally disposed of and closed upon the records.

A large number of *ex parte* cases involving entries permitted upon alleged rights acquired prior to the withdrawal of lands within railroad limits, have also passed examination, and have either been approved for patent or further suspended, according to the nature of the proofs presented in each case. The work in this branch of the division is in a satisfactory condition.

The number of letters received was 3,990. Five thousand two hundred and seventy-five letters were written, covering 3,726 pages of record.

Thirty-seven patents were issued, covering 282 pages of record, and embracing 23 approved transcripts, covering 26 pages.

The reports of construction received during the year aggregate 361.46 miles, which, added to the entire length of constructed road previously reported under the land grant system, and the length of roads in the State of Illinois heretofore omitted, amount to 14,343.18 miles, distributed as follows:

States and Territories.	Miles.	States and Territories.	Miles.
Illinois .....	705.72	Nevada .....	460.00
Missouri .....	703.00	Nebraska .....	832.00
Alabama .....	782.00	Kansas .....	1,654.00
Mississippi .....	406.00	Utah .....	255.00
Louisiana .....	152.00	Dakota .....	196.00
Michigan .....	1,005.00	Colorado .....	298.00
Arkansas .....	555.00	Wyoming .....	400.00
Florida .....	247.00	Indian .....	155.00
Iowa .....	1,580.00	Washington .....	106.00
Wisconsin .....	503.00	Texas, (where there are no public lands) .....	342.87
California .....	1,034.59	Total .....	14,343.18
Minnesota .....	1,745.00		
Oregon .....	227.00		

In their appropriate place in this report will be found carefully prepared tables showing the condition of the adjustment of the various land grants at the close of the fiscal year ending 30th June last.

The more important changes of ruling affecting railroad grants, promulgated since the date of the last annual report, are fully set forth in the text of the decisions forming a part of and found in their appropriate place in this report.

By the decision of the Supreme Court in the case of the Leavenworth, Lawrence and Galveston Railroad Company *vs.* United States, and Missouri, Kansas and Texas Railroad Company *vs.* Same, it was declared that the Osage ceded lands in Kansas formed no part of the grants to the State of Kansas for said companies. The patents issued by the Government therefor were vacated, and by the act of August 11, 1876, the lands were thrown open to settlement and entry. Steps were immediately taken to carry into effect the terms of that statute, and up to the 30th June last 3,715 filings and 1,871 entries had been permitted.

Numerous controversies have arisen between settlers upon these lands, and are being rapidly disposed of. In my last annual report mention was made of the decision of the Supreme Court in the case of Newhall *vs.* Sanger, wherein it was declared that the lands within fraudulent and rejected exterior limits of Mexican and other private grants in California were "reserved," and not "public lands;" and that in consequence thereof did not pass to the railroad companies under their grants made during such reservation. Reference was made also to the fact that lists of such lands erroneously patented to said companies were being prepared as the bases for the institution of suits to vacate such patents. Thus far but little progress has been made in this line.

The grant to the California and Oregon Railroad Company has been examined, and a list of the tracts erroneously patented has been prepared. A demand has been made upon this company for a surrender of the patents covering such lands, but thus far no reply has been received. Data for use in the suit are now being prepared, and the matter will be reported, with proper recommendations, at an early date. The delay in preparing these lists has been caused by my limited clerical force, and owing to the fact that on account of the importance of the subject, inexperienced clerks cannot be permitted to perform the work.

By an act of Congress approved April 21, 1876, certain illegal entries within the limits of railroad grants are confirmed, and patents directed to issue thereon. While but few patents have been issued under said act, the work of carrying into effect its provisions has formed a great part of the labors of this division. Many difficulties are met with in the execution of this law, owing more to its ambiguity than the complication of the cases brought within its provisions.

If a valid pre-emption claim subsisted to a tract of land at the date of attachment of a railroad company's right, it excepted the tract from the operation of the grant, and it becomes liable to appropriation by a second claimant, notwithstanding the land has been patented to the company, under the former rulings of the Department.

#### DECISIONS AFFECTING RAILROAD GRANTS.

DEPARTMENT OF THE INTERIOR,  
Washington, October 8, 1877.

SIR: I have considered the case of Thomas McQuat *vs.* The Winona and Saint Peter Railroad Company, involving the southwest quarter section 29, township 110, range 27, New Ulm, Minn., on appeal from your decision of January 26, 1877, adverse to Mr. McQuat.

The tract in question is within the six mile limits of the grant to the Transit, now Winona and Saint Peter Railroad Company, the right of which to the lands included in its grant attached July 17, 1857.

This land was approved to the State of Minnesota for the benefit of said company December 1, 1862.

The records of your office show, that one Timothy T. White filed declaratory statement 12788 for said tract, May 26, 1857, alleging settlement March 1, of the same year.

McQuat applied to file for said tract May 31, 1876, alleging settlement July 5, 1868,



but his application was refused by the local officers for the reason that the land had been certified to the railroad company.

You rejected McOuat's application on authority of my predecessor's decision in the case of *T. D. Scott vs. The Hastings and Dakota Railroad Company*, decided May 8, 1876. Since your decision was rendered, Mr. McOuat has submitted two affidavits, showing the grounds on which his claim is based.

The first of these affidavits is made by Spencer Sutherland, who alleges that Timothy White settled on the land in dispute in the spring of the year 1857, and built a house and resided upon and cultivated and improved said tract until late in the fall of that year, when, on account of the destruction of his house by a prairie fire, he left the land and did not thereafter return to it. He also states that McOuat has lived on said tract continuously since the year 1867, and has valuable improvements thereon. The second affidavit is that of the applicant himself, who alleges that he settled on said land in July, 1867, and has lived thereon with his family since the date of his settlement.

He also alleges that his improvements are worth the sum of \$1,500.

The grant to the Territory of Minnesota to aid in the construction of a railroad from Winona, via Saint Peter, to a point on the Big Sioux River south of the forty-fifth parallel of north latitude, is found in the 1st section of the act of Congress approved March 3, 1857, but the act expressly excepts from the grant any odd numbered sections of land, or parts thereof, which had been sold by the Government or to which the right of pre-emption had attached at the time the line of said road was *definitely fixed*, and certain other lands are granted to said company in lien of lands thus lost. It is unnecessary to cite authorities to show that if the pre-emption claim of White was a valid one at the time the right of the road attached in July, 1857, this tract was thereby excepted out of the grant, and if so excepted, it follows that it was improperly certified to the road.

Whether or not this tract inured to the grant, must depend upon the existence or non-existence of a valid pre-emption claim at the time the line of the road was definitely fixed.

If White's claim was valid at the date of definite location, then by the very terms of the act this tract was excepted from the grant, and a mere erroneous certification could not pass title to the company.

I do not think the case cited in support of your decision is in point, and I therefore direct that a hearing be ordered to determine the validity of the pre-emption claim of White.

If the testimony taken on the hearing is of a character to show that White was a qualified pre-emptor, and that his claim was a valid and subsisting one at the time the right of the road attached, the company should be called upon to relinquish said tract to the United States.

If the company shall fail or refuse to relinquish, then you will report that fact to this Department, in order that proper steps may be taken to procure the cancellation of the patent to said company.

Your decision is reversed, and the papers transmitted with your letter of June 1, 1877, are herewith returned.

Very respectfully,

C. SCHURZ,  
*Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

The words "public lands," in the first section of the act of April 21, 1876, were used in a special sense, meaning land within the limits of any land grant prior to the date of the receipt at the district office of the letter of withdrawal.

DEPARTMENT OF THE INTERIOR,  
Washington, August 9, 1876.

SIR: I have considered the case of Nancy H. Plouch (widow of Everard Plouch) vs. The Missouri River, Fort Scott and Gulf Railroad Company, involving the right to the southeast quarter section 33, township 25, range 22 east, Independence district, Kansas, coming up on appeal by the former from your adverse decision of January 25 last.

The land is within the limits of the grant to the company, which took effect, as per decision of this Department of April 7, 1876, in the Tinsman case, June 27, 1869. Withdrawal made June 12, 1869.

On May 16, 1863, one William N. Fly made homestead entry of the tract. He abandoned the land in August, 1866, and his entry was formally canceled August 22, 1868. Proof of abandonment being made at the instance of Everard Plouch.

October 28, 1868, said Plouch was permitted to make homestead entry of the land,

He died July 25, 1873. On October 12, 1875, his widow, Nancy H., applied to make final proof, said proof showing settlement September 23, 1868. Affidavits accompanying it set forth that Plouch bought the improvements and possessory right of one Stubblefield, who had occupied it for one year, and who had bought from Fly, the original homestead claimant.

This can only be introduced for the purpose of showing that Plouch had some legal or equitable right anterior to his homestead entry. Assuming the facts to be established as stated, I do not see that it can help Plouch's claim, for it is so well settled as to be beyond question, that a homestead entry takes effect only from its date, and can have no retroactive effect.

It is well settled "that a homestead claim, to exclude land from a railroad grant, must be subsisting, and capable of being perfected at the time the road was definitely located." (See Missouri, Kansas and Texas Railroad Company *vs.* Block, Copp's Land Laws, 395; Sayers *vs.* Atchison, Topeka and Santa Fé Railroad Company, *Ib.*, 397; circular, August 15, 1872, *Ib.*, 359.)

In this case the claim of Fly had been abandoned nearly two years, and was not capable of being perfected.

It therefore did not operate to protect the land it covered from the grant, and the same duly attached at date of definite location, to wit, June 27, 1868. I think, therefore, the entry must be canceled, unless saved by the act of April 21 last, "To confirm pre-emption and homestead entries of public lands within the limits of railroad grants," &c. The first section of said act provides, "That all pre-emption and homestead entries \* \* \* of the public lands made in good faith by actual settlers upon tracts of land of not more than one hundred and sixty acres each within the limits of any land grant prior to the time when notice of withdrawal of the lands embraced in such grants are received at the local office, \* \* \* and where the pre-emption and homestead laws have been complied with they shall be confirmed, and patents for the same shall issue to the parties entitled thereto."

Plouch's entry is clearly within this section and entitled to confirmation, provided lands within the limits of the grant, after definite location of the line of route, and prior to withdrawal, may be considered *public lands* within the meaning of the statute.

Being somewhat in doubt as to the proper construction of this phrase as it occurs in the first section of said act as quoted, I, on the 29th ultimo, referred it, with a statement of this case, to the honorable Attorney General for his opinion. I am in receipt of his opinion, dated 4th instant, wherein he holds, after reciting the facts in the case and the material portion of the section, as follows: "In this connection you ask whether the section above quoted is applicable to the case of Plouch, and, more specifically, whether lands situated as those granted to the railroad company after its map of survey had been filed and before notice of their *withdrawal*, can be termed public lands within the meaning of such section.

"The question is *not* whether lands in that situation are *in general* public lands, but whether from the context and other means of interpreting the above statute, it appears that Congress there intended by the phrase 'public lands' to designate lands so situated.

"I think it plain that Congress in the above act used that phrase in a *special* sense, virtually being lands within the limits of any land grant prior to the time when notice of withdrawal is received at the local land office, &c., and therefore I conclude that the case of Plouch is included therein."

I adopt this opinion as the true construction of the law and the proper decision of this case. You will therefore permit the entry to stand and proceed to completion in conformity to law.

I reverse your decision, and return the papers in the case transmitted with your letter of May 19 last.

Very respectfully,

Z. CHANDLER,  
*Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

Where a party fails to appeal from the action of the local officers, the award becomes final as to his right, and is not subject to review by this office.

DEPARTMENT OF THE INTERIOR,  
Washington, July 20, 1876.

SIR: I have considered the appeal of the California and Oregon Railroad Company from your decision of September 17, 1875, in the case of George W. Eaton *vs.* California and Oregon Railroad Company, involving the right to north half of southeast quarter, northeast quarter of southwest quarter, and lots 14 and 15, section 35, township 22 north, range 1 east, Marysville, Cal.

The land in question is within the withdrawal limits of the California and Oregon Railroad, the right of which company attached September 13, 1867.

Township plat was filed June 24, 1867, suspended same day, and released from suspension September 14, 1868. David W. Haines filed declaratory statement 5443 November 12, 1868, alleging settlement of the land in question December 26, 1865. His claim was canceled by you March 24, 1874.

At some time prior to July 16, 1875, but on what day the record does not disclose, Eaton, who had succeeded Haines in the possession of the land, applied to file declaratory statement for it, and at the last named date a notice of said application was issued to the railroad company returnable on the 2d September following. Both parties appeared and proof was taken, the point at issue being whether Haines's settlement and filing operated to except the land from the grant to the railroad company.

Upon consideration of the proof, the register and receiver held that it did not, and "decided that George W. Eaton is not entitled to file his declaratory statement for the tract claimed, and that the land in question inures to the California and Oregon Railroad Company." This decision was made December 30, 1874, and notice served on Eaton on the following day. *He took no appeal from this decision.*

The papers were forwarded to your office and the case was there reviewed; the decision of the register and receiver was reversed, and the declaratory statement of Eaton was ordered to be received by them. In this I think there was manifest error. The decision of the register and receiver rejecting Eaton's application, not having been appealed from, was final as to him, and was not subject to review by you. (Brown vs. White, Copp's Land Laws, p. 298; Shuster vs. Grady, *Id.*, 314.)

It does not follow, however, that the railroad company is entitled to the land. While the proof as to Haines's qualifications as a pre-emptor is not as full as could be desired, enough appears to raise a very strong presumption that he was qualified, and that his occupation of and claim to the land was sufficient to except it from the grant.

Upon the evidence in the case, it would undoubtedly be your duty to refuse to certify and patent the land to the company. But it appears that on the 7th March, 1875, while this contest was pending in your office, a patent was issued for the land in question to the railroad company.

By this act of gross carelessness the burden of proof is cast upon the Government to show that the lands did not pass by the grant to the company, and a further investigation is made necessary. I have, therefore, to reverse your decision, allowing Eaton to file his declaratory statement for the land, and to direct that further proof be taken by the register and receiver as to the qualifications of Haines as a pre-emptor at the time he occupied the land.

If, on such proof, his qualification shall appear, you will renew your demand on the company for a release of the land and return of the patent, and, in case it shall refuse to comply therewith, you will report the fact to me, in order that legal proceedings may be instituted to set the patent aside.

The papers transmitted with your letter, F, of December 30, 1875, are herewith returned.

Very respectfully,

Z. CHANDLER,  
*Secretary.*

THE COMMISSIONER OF THE GENERAL LAND OFFICE.

DEPARTMENT OF THE INTERIOR,  
Washington, May 14, 1877.

SIR: I have considered the application of Messrs. Britton and Gray for a reconsideration of the decision of my predecessor, dated July 20, 1876, in the case of George W. Eaton vs. The California and Oregon Railroad Company.

In support of the application a number of affidavits have been filed, in which it is alleged that Eaton has resided upon the land since the year 1868.

In the decision of my predecessor, the claim of Eaton was rejected on the ground that he had not appealed from the decision of the local officers rejecting his claim.

A new hearing was ordered, however, for the purpose of ascertaining the validity of the claim of the railroad company to the tract, the right of the company depending upon the validity of the prior pre-emption claim of David W. Haines.

This hearing should proceed, and the status of the land be determined upon the evidence submitted.

Eaton, by his failure to appeal from the decision of the local officers, lost any right he may have acquired by settlement, as against the claim of an adverse settler who settled and complied with the provisions of the law subsequent to December 30, 1874, the date of the decision of the local officers, and prior to September 17, 1875, the date of the decision of your office allowing him to file, from which time it should be con-

sidered that he was restored to his position as an applicant and a party in interest before your office, whose claim is not finally adjudicated.

If it should be ascertained that the question is one between himself and the Government, his claim should be determined upon its merits; and to that end, evidence on the question of his residence on the tract and compliance with the law from date of alleged settlement should be admitted. All claimants of record should be made parties to the hearing.

The papers in the case are herewith returned.

Very respectfully,

A. BELL,  
*Acting Secretary.*

THE COMMISSIONER OF THE GENERAL LAND OFFICE.

Where an entry is confirmed under the act of April 21, 1876, the railroad company will be permitted to relinquish the tract embraced in such confirmed claim, and select indemnity therefor under the act of June 22, 1874.

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
*Washington, D. C., September 16, 1876.*

SIR: I have the honor to submit herewith letter from John B. Bloss, esq., dated 11th instant, asking whether the Sioux City and Saint Paul Railroad Company is entitled to select, under the provisions of the act of June 22, 1874, land in lieu of the west half of the northeast quarter and northwest quarter of the southeast quarter of section 5, township 88 north, range 44 west, Sioux City district, Iowa, lost to the grant by reason of the confirmation of homestead entry No. 605, final certificate No. 829, of Jacob Weaver, under the act of April 21 last, by your decision of 17th ultimo.

It is well known that under the rulings of the Department, based, it is believed, upon well-settled decisions of the Supreme Court, the right of said company attached upon the definite location of its line of route, and that from that time title vested in the specific lands embraced within the lateral limits fixed by such definite location.

The entry was confirmed under the provisions of the act of 1876, but such confirmation could not take away nor divest the rights of the company.

Where an entry comes clearly within the provisions of the confirmatory statute, patent must issue to the individual. The right of the company to relinquish under the act of 1874 is not, however, by such confirmation restricted or removed. It was the manifest intent of the act of 1876 (as appears from a perusal of the debates in Congress thereon) to confirm the entries as a basis for patents to issue, so as to give the claimants a proper standing before the courts to test the question of title, and it is clearly evident to me that it could do nothing more. It certainly could not operate to divest rights long since acquired under previous laws.

By the recent decision of the Supreme Court in *Leavenworth, Lawrence and Galveston Railroad Company vs. United States*, known as the Osage decision—not yet reported—it was declared that, from the date of the attachment of the right of the company by definite location, pre-emption and other rights ceased, and could not thereafter be initiated.

I therefore conclude that the company is still entitled to the benefits of the provisions of the act of 1874. In view, however, of the importance of the question, I submit the matter for the consideration of the supervisory authority, and have to request your instructions in the matter before communicating to the parties interested my decision in the case.

Very respectfully, your obedient servant,

U. J. BAXTER,  
*Acting Commissioner.*

Hon. Z. CHANDLER,  
*Secretary of the Interior.*

DEPARTMENT OF THE INTERIOR,  
*Washington, D. C., October 16, 1876.*

SIR: I have to acknowledge the receipt of your communication of the 16th ultimo, inclosing a letter from John B. Bloss, esq., attorney of the Sioux City and Saint Paul Railroad Company, which submits the question whether in the case of Jacob Weaver *vs. Sioux City and Saint Paul Railroad Company* the company will not be entitled to indemnity under the act of June 22, 1874.

You express the opinion that in this case the company is entitled to the benefit of the provisions of the act above mentioned.

I concur in your opinion. In the case above mentioned and similar cases the com-

pany, on relinquishment of its title to the settler, will be entitled to select lieu lands under the act above cited.

The letter of Mr. Bloss is herewith returned.

Very respectfully,

CHAS. T. GORHAM,  
*Acting Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

An entry, to be confirmed under the language in the first section of the act of April 21, 1876, "after their restoration to market by order of the General Land Office," must come clearly within its provisions. The land must have been *actually restored*.

DEPARTMENT OF THE INTERIOR,  
*Washington, D. C., October 24, 1876.*

SIR: I have considered the case of the Cedar Rapids and Missouri River Railroad Company vs. James Shelmerdine, involving the right to the east half of the northwest quarter and southwest quarter of the northeast quarter, section 22, township 88, range 37, Sioux City, Iowa, on appeal from your decision of February 14, 1876, holding for cancellation the latter's homestead entry on said tract.

Shelmerdine made homestead entry March 3, 1869; made final proof and received final certificate January 19, 1875.

The grounds of appeal, with the exception of the one that the entry has been confirmed by an act of Congress, have been frequently decided by this Department, and a further consideration of them is not deemed necessary; but the important question remains, is the entry confirmed by the act of Congress approved April 21, 1876?

The claimant alleges that the tract in question was included in the clear list of lands ordered by express instructions of the General Land Office to be sold at public sale October 29, 1866. These lands were ordered to be restored to market October 29, 1866, by notice dated July 5, 1866. By letter dated September 21, 1866, the order was suspended for one year from July 5, 1866, unless otherwise ordered, and the lands were held subject to homestead and pre-emption settlement only.

By letter from your office dated August 5, 1867, the register and receiver were ordered to restore the lands after thirty days' public notice, and the lands were actually restored to market September 23, 1867.

Without discussing the legal right or power to restore these lands, it must be held that they were restored to market so far as an express order of the General Land Office could effect that purpose. Public notice to that effect was given, and parties making entries in good faith, in accordance with that notice, have an equitable right to claim the protection of the Government, so far as the same can be extended.

The first section of the act approved April 21, 1876, provides that homestead and pre-emption entries made in good faith by actual settlers upon lands after "their restoration to market by order of the General Land Office," and when the laws have been complied with and proper proof made, shall be confirmed.

It is plain, I think, that the intention of Congress was clearly expressed by the language used. Entries made in good faith on lands after their restoration to market by order of the General Land Office are confirmed, and patents are ordered to issue to said claimants.

It is contended by counsel for the railroad company that the tract in question inured to the grant for said company June 2, 1864; that it was no longer public land, and could not be affected by the first section of the act of April 21, 1876.

Upon this point I am governed by the opinion of the Attorney General of the United States, of August 4, 1876, as follows: "I think it plain that Congress in the above act used that phrase (public lands) in a *special sense*, virtually defined in the context as being lands within the limits of any land grant prior to the time when notice of their withdrawal is received at the local land office," &c. It is the duty of the Department to execute the plain provisions of the law and not question what the effect will be.

Was the tract claimed by Shelmerdine restored to market by order of the General Land Office? His attorney alleges that it was in the list of lands ordered to be sold September 23, 1867.

Upon examination of the list of vacant lands referred to, prepared by your office, I fail to find the tract in question. The tract book of your office shows that a military bounty land warrant was located on, said land May 24, 1856. This entry was, however, erroneous, as the tract located was in township 87. The error was detected and corrected, but at what date I am unable to state. The fact of this erroneous entry no doubt accounts for the non-appearance of the tract in the list prepared by your office in the spring of 1866, but it must be treated as land not restored to market. The record further shows that the land was entered as a homestead July 20, 1867. This entry

was canceled January 30, 1869; hence it could not be treated as vacant land subject to restoration September 23, 1867.

The tract was vacant June 2, 1864, and by the terms of the granting act inured to the grant for the benefit of the railroad company at that date; and the homestead entry, not being confirmed by the act of April 21, 1876, must fail.

Your decision is affirmed; and the papers transmitted with your letter of August 24, 1876, are herewith returned.

Very respectfully,

CHAS. T. GORHAM,  
Acting Secretary.

The COMMISSIONER OF THE GENERAL LAND OFFICE.

A legal homestead entry of record segregates the land from the mass of public lands, and excepts the tract covered thereby from the operation of a railroad grant attaching during the existence of such entry.

DEPARTMENT OF THE INTERIOR,  
Washington, D. C., February 7, 1877.

SIR: I have considered the case of Chalkley Thomas *vs.* The Saint Joseph and Denver City Railroad Company, involving the right to the northwest quarter of section 5, township 2 north, range 2 east, Beatrice, Nebr., on appeal from your decision of April 27, 1876, holding for cancellation the homestead entry of the former.

This tract is within the limits of the grant for the above named railroad company, made by act of Congress approved July 23, 1866.

Said road was definitely located March 21, 1870, and the notice of withdrawal was received at the local office April 15, 1870. Thomas made homestead entry July 26, 1871, and made final proof January 20, 1874. Thomas Keyes made homestead entry for the tract November 11, 1868.

At a trial held January 25, 1870, on the charge of abandonment, it was shown that Keyes never resided upon the land nor improved the same, and said entry was canceled for abandonment May 20, 1870.

From this statement it will be seen that at the date of the definite location of the road the tract in question was covered by a homestead entry, subsequently canceled for abandonment, and the questions arise, Did said entry defeat the claim of the railroad company, and does a homestead entry operate as a reservation of the land covered from all other appropriation?

If a homestead entry is a legal appropriation of the land, it is a well established principle of law that from the moment of such entry the land becomes severed from the mass of public lands, and no subsequent law, proclamation, nor sale would be construed to embrace or operate upon it, although no other reservation were made of it. (13 Peters, 498; 2 Otto, 733.) The preference right to purchase, the only right initiated under the pre-emption law by settlement, is not, prior to payment and entry, such a legal appropriation of the land as above indicated. (15 Wall., 77.)

This doctrine was reaffirmed in the case of Shepley *et al.* *vs.* Cowan *et al.*, (1 Otto, 330,) in which the court says "that the settlement, even when accompanied with an improvement of the property, did not confer upon the settler any right in the land as against the United States, or impair in any respect the power of Congress to dispose of the land in any way it might deem proper; that the power of regulation and disposition conferred upon Congress by the Constitution only ceased when all the preliminary acts prescribed by law for the acquisition of the title, including the payment of the price of the land, had been performed by the settler. When these prerequisites were complied with, the settler for the first time acquired a vested interest in the premises, of which he could not be subsequently deprived. He was then entitled to a certificate of entry from the local land officers, and ultimately to a patent of the United States. Until such payment and entry, the acts of Congress gave to the settler only a privilege of pre-emption in case the lands were offered for sale in the usual manner; that is, the privilege to purchase them in that event in preference to others."

Where the entry is made a vested right is acquired, a right which may be transferred. (Myers *vs.* Croft, 13 Wall., 291.)

These decisions clearly establish the character of an entry, which is defined to be that act by which an individual acquires an inceptive right to a portion of the unappropriated soil of the country by filing his claim thereto with the proper land officer of the United States. (12 Wheaton, 586.)

The act providing for the disposal of the public lands, known as the "homestead law," differs essentially in its principles from the pre-emption law. Under the latter statute an entry is not permitted until payment is made. Section 2289 of the Revised Statutes, however, provides that "every person who is the head of a family, or who has arrived at the age of twenty-one years and is a citizen of the United States, or who has filed his declaration of intention to become such, as required by the naturalization laws, shall be entitled to enter one-quarter section or a less quantity of unap-



propriated public lands, upon which such person may have filed a pre-emption claim, or which may, at the time the application is made, be subject to pre-emption, at one dollar and twenty-five cents per acre, or eighty acres or less of such unappropriated lands at two dollars and fifty cents per acre, to be located in a body, in conformity to the legal subdivisions of the public lands, and after the same have been surveyed."

It is thus stated who may make an entry; and the succeeding section, No. 2290, provides how the entry shall be made, which is as follows:

"The person applying for the benefit of the preceding section shall, upon application to the register of the land office in which he is about to make such entry, make affidavit before the register or receiver that he is the head of a family, or is twenty-one years or more of age, or has performed service in the Army or Navy of the United States, and that such application is made for his exclusive use and benefit, and that his entry is made for the purpose of actual settlement and cultivation, and not, either directly or indirectly, for the use or benefit of any other person; and upon filing such affidavit with the register or receiver, on payment of \$5 when the entry is not more than eighty acres, and on payment of \$10 when the entry is for more than eighty acres, he shall thereupon be permitted to enter the amount of land specified."

Each of the three elements of which this transaction is composed forms an essential part thereof—the application, the affidavit, and the payment of money; and when the application is presented, the affidavit made, and the money paid, an entry is made, a right is vested, which is perfected to a complete title by the performance of certain conditions subsequent—a residence on the tract for a certain period of time; and at the expiration of that time, upon making proper proof thereof, the party is entitled *not* to make an entry of the land, but he is entitled to a *patent* for the same, as provided in section 2291, as follows: "No certificate, however, shall be given, or patent issue therefor, until the expiration of five years from the date of such entry; and if at the expiration of such time, or at any time within two years thereafter, the person making such entry, or if he be dead his widow, or in case of her death his heirs or devisee, or in case of widow making such entry her heirs or devisee, in case of her death, proves by two credible witnesses that he, she, or they have resided upon or cultivated the same for the term of five years immediately succeeding the time of filing the affidavit, and makes affidavit that no part of such land has been alienated except as provided in section twenty-two hundred and eighty eight, and that he, she, or they will bear true allegiance to the Government of the United States, then, in such case, he, she, or they, if at that time citizens of the United States, shall be entitled to a patent, as in other cases provided by law."

That it was the intention of Congress to confer a right and interest in the party, is shown by the provisions of the section just quoted, allowing heirs in certain cases to perfect title without actual residence on the land. By the same section the interest of the settler appears to be recognized as an estate capable of passing by devise, and the devisee is invested with the right to complete the title.

This view is also borne out by the provisions of section 2292, allowing an executor, administrator, or guardian, in the case of the death of both father and mother, to sell the land for the benefit of the infant heirs. In such case the purchaser acquires the absolute title by the purchase, and is entitled to a patent from the United States on the payment of the office fees and the sum for which the property was sold. This proceeding is a necessary result, if the interest created by the entry is a vested one, but a proceeding that would be logically inconsistent with the theory that there was no vested interest created by the entry.

That it was the intention of Congress to grant an estate or interest in land to the party making a homestead entry is clearly shown by the term employed in section 2297, providing that the land entered shall *revert* to the United States under certain circumstances. There can be but one meaning attached to the term "*revert*;" there must have been an estate or interest created; and it is employed in the same sense as in the different acts making grants to States, Territories, railroad companies, and other corporations.

In the latter case, it is a well established principle that an interest or estate in the lands described is conferred upon the grantee, which is subject to forfeiture and reversion upon failure to perform certain conditions; but in no case is the manner of declaring a forfeiture and reversion provided for in the law making the grant. That act is one to be performed by the legislative or judicial authority. But in the statute allowing a homestead entry, the manner of declaring a forfeiture and reversion is clearly provided.

When land is once entered, it becomes segregated from the mass of public lands, and the right of the claimant attaches upon such entry before a patent issues, (4 Wall., 210,) in which the court says: "That Congress has the entire control of the public lands, can dispose of them for money, or donate them to individuals, or classes of persons, cannot be questioned. \* \* \* In either case, when the entry is made and certificate given, the particular land is segregated from the mass of public lands and becomes private property. In the one case the entry is complete when the money is paid, in the

other when the required proofs are furnished. In neither case can the patent be withheld if the original entry was lawful."

The entries under consideration by the court were not made in accordance with the provisions of the homestead law, but I see no reason why the same principles should not apply. By the entry an incentive right is acquired which cannot be divested, except by failure to comply with certain conditions; and this right of homestead settlement is recognized in the acts of Congress making grants of land for various purposes.

If these views are correct—and they seem to me to follow the interpretation given by the courts to the term "entry" under the laws for the disposal of the public lands—it follows that such an appropriation of the land reserves it from the operation of any law, grant, or sale until it is restored to the mass of the public domain by due process of law.

It may be urged that if the party who makes a valid homestead entry neglects to follow up the same by settlement, or, in other words, abandons the land from inception, from said date of abandonment, or six months thereafter, the land is no longer reserved but becomes subject to a subsequent appropriation without the formality of a declared forfeiture. Such has been the view formerly taken by this Department, but I do not think it can be maintained, applying to the subject the reasoning employed by the supreme court in the recent cases above cited and other cases. The decisions of the court must be accepted as the true basis for the interpretation of the laws. Neither do I think the view is founded on sound principles. If Congress should enact a law reserving a tract of land for military or Indian purposes, and said tract should not be occupied for the purposes indicated, it would not be contended that the reservation did not exist, or that it would cease, except by due process of law.

I see no reason why the same principles should not apply in the case of a homestead entry, a reservation made in accordance with an express law of Congress, in the manner prescribed.

The manner of declaring a forfeiture and reversion under the homestead law is prescribed in section 2297, as follows: "If at any time after the filing of the affidavit, as required in section twenty-two hundred and ninety, and before the expiration of the five years mentioned in section twenty-two hundred and ninety-one, it is proved, after due notice to the settler, to the satisfaction of the register of the land office, that the person having filed such affidavit had actually changed his residence, or abandoned the land for more than six months at any time, then, and in that event, the land so entered shall revert to the Government."

When the fact of an abandonment is established, the entry by which the tract was segregated must be canceled. Under the rules and practice of your office, which you are authorized by law to prescribe, the fact of abandonment cannot be judicially determined until the evidence is submitted to you and your decision on the same is announced.

That decision is carried into effect by the cancellation of the entry, and then, and not until such action is taken, is the land restored to the mass of the public domain.

It has been the uniform practice of this Department, since the adoption of the homestead law, to regard a tract of land covered by a homestead entry as reserved from appropriation in any manner by a private citizen prior to the cancellation of said entry, and no greater privileges can be extended to a corporation, unless they are clearly granted by law. Section 1 of the act making the grant for the benefit of the Saint Joseph and Denver City Railroad Company provides that, "In case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold any section, or any part thereof, granted as aforesaid, or that the right of pre-emption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected for the purposes aforesaid \* \* \*

certain lands as indemnity. The right of homestead settlement had attached to the tract in question by means of the entry of Keyes. It had been reserved and appropriated according to law, and remained so reserved and appropriated at the date of the definite location of the road. It was consequently excepted from the operation of said grant, and upon its subsequent reversion to the United States became subject to the entry of Thomas, who is entitled to a patent if he has complied with the law.

In the case of the Leavenworth, Lawrence and Galveston Railroad Company *vs.* United States, (2 Otto, 733,) the court held that when Congress enacts "that there be, and is hereby, granted" to a State, to aid in the construction of a specific railroad, every alternate section of land, designated by odd numbers, within certain limits of each side of the road, the State takes an immediate interest in land so situate, whereto the complete title is in the United States at the date of the act. Such a grant is applicable only to public land owned absolutely by the United States.

It follows that lands situated within the limits of a road above indicated, covered by homestead entries at the date of the granting act, which entries are subsequently canceled, are excepted from the operation of the grant.

In adjudicating cases that may arise in the future, you will be governed by the rule herein announced, but in no case will it have a retroactive effect. An adjudication under the rules of your office heretofore in force will be final. In the future, a claimant may be allowed to show that an entry was illegal in its inception; that it was made by one not legally qualified to make the same. In such case the entry being null and void can have no effect; but an entry once made by a qualified person will be considered an appropriation of the land until a forfeiture and reversion shall have been declared by due process of law.

In cases where a forfeiture has been declared for abandonment and the land has been disposed of under the ruling of your office, a claimant cannot be permitted to show that the entry was void; such cases will be treated as *res adjudicata*. The papers transmitted with your letter of August 9, 1876, are herewith returned.

Very respectfully,

Z. CHANDLER,  
Secretary.

The COMMISSIONER OF THE GENERAL LAND OFFICE.

DEPARTMENT OF THE INTERIOR,  
Washington, September 24, 1877.

SIR: I have considered the application of J. B. Bloss, esq., made February 26, 1877, for a review of the decision of my predecessor, dated on the 7th of said month, in the case of Chalkley Thomas *vs.* The Saint Joseph and Denver City Railroad Company.

As the question involved is one of much general interest, affecting the claims of many individuals, and of corporations, which are grantees of public lands, Messrs. Britton and Gray, and Henry Beard, esq., attorneys for various railroad companies were also permitted, in connection with Mr. Bloss, to file arguments in support of said application.

The point raised in the arguments, that no right is vested when the homestead entry is made, was fully considered in the decision of my predecessor, and I see no sufficient reasons why the views therein announced should be changed. The settler's right to a patent is contingent upon complying with certain conditions, as the right of a railroad company to lands granted is dependent upon the performance of specified acts; but a valid entry is an appropriation of the land, and remains such, until a forfeiture is declared in accordance with law and the rules and regulations of your office, and the reservation is removed.

In support of the position that no right vested by reason of the homestead entry of Keyes, the ruling of the circuit court in the case of the Union Pacific Railroad Company *vs.* Watts (Dillon's C. C. Reports, 2d vol., p. 310) is cited.

In his charge the learned judge says: "The land in question is embraced in the patent to the plaintiff, introduced in evidence, dated February 23, 1871, and this gives the plaintiff the legal title thereto, unless the same was land which had been sold, reserved, or otherwise disposed of by the United States, or to which a pre-emption or homestead claim may have attached at the time the line of the plaintiff's road was definitely fixed.

"The defendant claims that the land was excepted out of the grant made by the act of July 1, 1862, because before and at the time the line of the plaintiff's road was definitely fixed there was a homestead claim thereto in favor of Peter Hugus.

"If you find from the evidence that Peter Hugus never saw this land, never made any improvements thereon, and never intended to make any, or to comply with the provisions of the homestead act as to settlement, occupation, and improvement of it, and never did anything except to file an application for an entry, and that he afterward relinquished all right to the plaintiff, then we instruct you, as a matter of law, that no homestead claim attached to the land in favor of Hugus, and that the land would be embraced in the grant to the plaintiff, made by said act of July 1, 1862, and conveyed by the patent to the plaintiff, which has been introduced in evidence."

This ruling, in my opinion, instead of being an authority upon which a reversal of my predecessor's decision should be made, clearly sustains said decision.

The conditions upon which the court says "no homestead claim attached" cannot be separated, but must be taken together. It must appear that the party "never saw the land, never made any improvements thereon, and never intended to make any, or to comply with the provisions of the homestead act as to settlement, occupation, and improvement of it, and never did anything except to file an application for an entry, and that afterward he relinquished all right" to the land. If all these conditions concur, a homestead right would not vest, for in that case the entry would be void *ab initio*, being based upon a false affidavit and founded upon fraud. Upon these facts being shown, the entry should be treated as void from inception. Each case must depend upon its merits. The question of the validity of an entry is one of fact. But, as heretofore stated, an unimpeached homestead entry will be presumed to be valid.

There is, however, no evidence to show that Keyes never saw the land, or that he

never intended to reside upon the same, or to comply with the provisions of the homestead law. It is well known that in very many instances parties, in perfect good faith, and with full intention of complying with the law, make a homestead entry, but for various reasons are prevented from subsequently residing upon the tract thus entered. In such a case I do not think the logical inference to be drawn from Judge Dillon's charge is that the entry is illegal, or that no claim attaches thereunder, but rather the contrary.

It is contended in the argument that when an abandonment is proven to the satisfaction of the register of the proper land district, the tract then becomes subject to other disposal, and that the rule stated in the decision, that the land is reserved from other appropriation until the cancellation of the entry by your office, is erroneous.

If this be so, action on your part in canceling the entry is a mere clerical act, of no legal significance, and your office is but the agent to carry into operation the finding of the register, whose decision is final, and from which no appeal can be taken to your office or the Department proper. I do not think this view can be successfully maintained.

The act of July 4, 1830, reorganizing the General Land Office, gives to the Commissioner thereof supervisory power in all matters pertaining to the ordinary disposal of public lands. This of necessity includes the supervision of all subordinates, including the local officers. The homestead law of May 20, 1862, requires that the Commissioner prepare and issue such rules and regulations, consistent with the act, as are necessary and proper to carry its provisions into effect. The regulations in regard to the method of declaring a homestead claim abandoned and the entry canceled are necessary and proper to an efficient execution of the statute.

There is nothing in the act inconsistent with this view. The statute must be interpreted as a whole, and in accordance with the principles pertaining to our land system. This interpretation is consistent with the spirit of the laws for the disposal of the public lands, and for the uniform administration of the same for a long series of years.

The finding of the local officers may be approved or reversed, as may be deemed proper by the officer having the supervisory control of the execution of the law.

A different interpretation would, in effect, deprive the supervisory officers of the power to perform the duties expressly imposed upon them by the laws of the land, and cannot be defended upon any hypothesis consistent with the theory of government or the execution of the laws.

The act of February 25, 1869, relative to the Vigil and St. Vrain grant, cited by counsel in support of their position, was a special act creating the register and receiver a tribunal for the purpose of performing certain specific duties.

It was not a general statute, analogous to the pre-emption and homestead laws, and the opinion of the Attorney-General, relative to the power of the Commissioner under said act, holding that you had no authority to review the decision of said tribunal for that reason, is not applicable to the case under consideration.

It is stated by counsel that many hearings have been held, and, as the cases are yet unadjudicated, to apply the rule announced by my predecessor in such cases would be unjust. This objection is without force, in my opinion. A hearing may be ordered to determine the fact of the invalidity of a prior entry should a party in interest show sufficient reason why such hearing should be had. Cases adjudicated under a different view of the homestead law are not to be reopened. The rule announced is for future guidance only.

I am of the opinion that the views expressed by my predecessor are founded upon a correct interpretation of the homestead law, and I see no good reason why the same should be modified or changed, and must therefore decline the request contained in the application.

The application and accompanying papers are herewith transmitted.

Very respectfully,

C. SCHURZ,  
*Secretary.*

THE COMMISSIONER OF THE GENERAL LAND OFFICE.

Where a warrant, located in payment of land, is canceled for forgery in the assignment, and substitution of cash or another warrant is authorized, and not limited in time, the land covered by such location is excepted from the operation of a railroad grant attaching after such cancellation, though the substitution is not made for years.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D. C., March 14, 1877.

SIR: I have considered the case of Theron C. Pond *vs.* Southern Minnesota Railroad Company, involving the south half of northwest quarter, and northeast quarter of

southwest quarter, section 33, township 103, range 24, Worthington, Minn., on appeal from your decision of July 14, 1876, refusing to list the above land to said railroad company.

The lands in question are within the limits of the grant to the Southern Minnesota Railroad Company, which took effect November 29, 1866.

Pond entered this land with military bounty land warrant No. 70723, June 6, 1863. It appears that this land warrant was issued to Phoebe Gill, widow of Stephen Gill, on April 9, 1866, and was stolen from her, and her signature forged to the assignment. Said warrant was canceled for that reason by Pension Bureau, March 12, 1866.

On March 20, 1866, your office allowed Mr. Pond the privilege of substituting a legal consideration in lieu of said warrant, but it does not appear that this has ever been done.

You refused to certify the land to the railroad company because, at the date the right of the company attached, the land was covered by a claim capable of being perfected. The records of your office show that, although the *warrant* has been canceled, the *entry* still remains uncanceled.

I am of opinion that Pond had a valid right to perfect his claim at the time the grant to the railroad company took effect, and that the land was thereby excepted from the grant.

Your decision is affirmed, and the papers transmitted with your letter of November 13, 1876, are herewith returned.

Very respectfully,

C. SCHURZ,  
*Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D. C., April 14, 1877.

SIR: I have considered the application of John K. Brown, land commissioner of the Southern Minnesota Railroad Company, for a reconsideration of my decision in the case of Theron C. Pond *vs.* Southern Minnesota Railroad Company, rendered March 14, 1877.

The tract involved in this case is the south half of northwest quarter, and northeast quarter of southwest quarter, section 33, township 103, range 24, and is situated within the Worthington, Minn., land district, and within the limits of the grant to the above mentioned railroad company, which took effect November 29, 1866.

This application is based on the following grounds, to wit:

First. That Pond had not resided upon or improved said land prior to entry.

Second. That said warrant location was canceled before the right of the road attached, of which fact Pond had notice, and as he has not perfected his entry or lived on the land since, this default is conclusive evidence of abandonment.

Third. That the land was *ipse jure* vacant at the time the right of the road attached.

With reference to the first ground relied upon by the road, I find from an examination of the records of your office, that Pond entered the land in contest, with military bounty land warrant No. 70723, June 6, 1863; that said warrant had been stolen from Phoebe Gill, widow of Stephen Gill, to whom it was issued, and her signature forged to the assignment, and it was therefore canceled by the Pension Bureau March 12, 1866, and a new one issued in lieu thereof.

The land in contest was offered October 29, 1860, and being thus made subject to sale at private entry, the law did not require that Pond should reside upon or cultivate it prior to making his warrant location.

As to the second ground, I think it only necessary to say that as your office on March 20, 1866, allowed Mr. Pond the privilege of substituting a legal consideration in lieu of the canceled warrant, and as this privilege *was not limited in time*, the *entry*, although voidable, was capable of being legally perfected at the time the grant to the road took effect, and the land did not inure to the grant; nor was Pond required by law to live on the land after entry.

As to the third ground, I am of opinion that as the land was covered by a voidable uncanceled entry it was not legally vacant, and the application for a rehearing is refused.

This entry should be canceled unless perfected by Mr. Pond, without unreasonable delay after notice.

The papers transmitted with your letter of April 5, 1877, are herewith returned.

Very respectfully,

C. SCHURZ,  
*Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

The burden of proving a fact lies upon the party asserting the affirmative, following the decision of the Department in the case of *McComber vs. California and Oregon Railroad Company*.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D. C., April 26, 1877.

SIR: I have considered the case of *R. Vincent vs. The Saint Joseph and Denver City Railroad Company*, involving the southwest quarter of section 7, township 2 south, range 2 east, Concordia, Kans., on appeal from your decision of September 28th, 1876, adverse to the railroad company.

The records of your office show that the land in contest is within the limits of the grant of July 23, 1866, to aid in the construction of the above mentioned road, the right of which attached March 21, 1870.

A. Robbins filed declaratory statement No. 5122, March 19, 1870, for said tract, alleging settlement March 12, 1870.

Anthony Brockman filed declaratory statement No. 5372 for the west half of the southwest quarter of section 7, township 2 south, range 2 east, April 8, alleging settlement April 1, 1870.

John Schauk made homestead entry No. 5154 for said southwest quarter, section 7, October 21, 1871.

You held that Robbins had a valid subsisting claim to the tract in contest at the time the right of the road attached, which operated to except it from the grant, and rendered it liable to entry by the first qualified applicant therefor.

I do not think the testimony sustained your view of the case. "The obligation of proving any fact lies upon the party who substantially asserts the affirmative of the issue." (1st Greenleaf on Evidence, page 98.)

The burden of proving that the land in question was covered by a valid pre-emption claim was therefore upon Vincent, and it was necessary for him to prove that Robbins had not only initiated a prior valid settlement, but that he also possessed all of the personal qualifications required by the pre-emption laws.

Belden, Campbell, and Brockman, witnesses for plaintiff, testify that Robbins settled upon said tract about the 1st of March, 1870, and built a small house and cultivated about two acres of the land; that he remained thereon until July, 1870, when he abandoned the same and has not lived thereon since that time.

The testimony fails to show that Robbins was a qualified pre-emptor, and I am of opinion that, under the rule of law before mentioned, the plaintiff has not made out his case. (*Walker's Heirs vs. State of California, Copp's Land Laws*, p. 287; *McComber vs. California and Oregon Railroad Company, Copp's Land Owner* for February, 1876, p. 163.)

Although this case must fail for want of proper testimony, it cannot be assumed that Robbins was not in fact a qualified pre-emptor, as his filing of record was *prima facie* evidence of a valid right as against the railroad company.

The land should not therefore be certified to said company, unless proper evidence is furnished by it that at the time the right of the road attached, Robbins had abandoned his claim, or that the same was invalid. (Circulars of instructions of August 15, 1872, and September 8, 1873, *Copp's Land Laws*, 389, 391.)

I return herewith the papers transmitted with your letter of January 9, 1877, with instructions to cancel the homestead entry of Schauk, and the filings of Robbins and Brockman on the records of your office.

Very respectfully,

C. SCHURZ,  
*Secretary.*

THE COMMISSIONER OF THE GENERAL LAND OFFICE.

The second section of the act of April 21, 1876, requires three specific things:

1st. There must have been a valid claim to the land at the date of withdrawal for railroad purposes;

2d. The land must have been re-entered under decisions and rulings of the Land Department; and

3d. The claimant must show that he has complied with all the requirements of the homestead or pre-emption laws.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D. C., May 1, 1877.

SIR: I have considered the case of *J. W. Jenney vs. The Kansas Pacific Railroad Company*, involving the right to the southwest quarter, section 27, township 13 south,



ange 3 west, Salina, Kans., on appeal from your decision of October 31, 1876, adverse to the railroad company.

This tract is within the ten mile limits of the grant to the above named road, the right of which attached March 3, 1869.

Said land was withdrawn by letter from your office, dated July 14, 1866, received at the Junction City land office, July 20, 1866.

J. N. Burgess filed declaratory statement No. 3871 for said tract May 18, alleging settlement May 10, 1866.

Edward F. Willard filed declaratory statement No. 4156 for same tract August 7, 1866, alleging settlement July 20, 1866.

J. W. Jenney made homestead entry No. 11861 for said tract October 30, 1871, under instructions from your office dated September 14, 1871.

The filings of Burgess and Willard were canceled for conflict with the grant October 23, 1871.

On application of the company, a hearing was held on August 15, 1873, and Jenney's entry was canceled for conflict with the grant April 21, 1875.

It also appears that this tract was patented to said railroad company December 1, 1875.

On August 10, 1876, counsel for Jenney made application for the reinstatement of said homestead entry, and on October 31, 1876, you took up this case and decided that the defects in said entry were cured by the 2d section of the act of April 21, 1876, and reinstated the same, subject to the right of appeal.

The 2d section of the act of April 21, 1876, requires three specific things to concur, in order to give validity to the entry of a claimant thereunder, to wit:

1st. There must have been a valid pre-emption or homestead claim existing on the land at the time of the withdrawal for the railroad.

2d. The land must have been re-entered under decisions or rulings of the Land Department.

3d. The claimant must show that he has complied with the requirements of the pre-emption or homestead laws since the date of his filing or entry.

The application in this case contains a very full recital of the facts connected therewith, but contains no allegation that the claimant has complied with the homestead law since the date of entry; nor is it accompanied by any proof of such compliance.

I am cognizant of the fact, that owing to the diversity in character of the claims arising under this act, it is difficult to establish inflexible rules for their government, yet it is obvious that the claimant should first clearly show that he is entitled to its benefits.

It cannot be presumed that the claimant has complied with the law in the absence of proof of that fact, and to take up and reinstate an entry in the absence of satisfactory evidence that the claimant is entitled to the benefit of the act, is to indulge a presumption not warranted by the law.

On the trial between Jenney and the company before the local officers, August 15, 1873, the question at issue was whether Burgess or Willard had a valid and subsisting claim to the land at the time the right of the road attached, March 3, 1869, while the issue in this case is whether either of the said parties had a valid claim at the date of withdrawal on July 26, 1866.

These issues are separate and distinct, and I do not think that testimony directed to the investigation of the question whether there was a subsisting claim in 1869 should be held to conclude the parties in an inquiry relating to the time of the withdrawal in 1866.

The claimant should be required in every case to submit a duly corroborated application setting out the character of his claim, and if on examination you are of opinion that he is entitled to the land *prima facie*, a hearing should be ordered to determine the rights of the parties, and upon the testimony there presented, the case should be decided upon its merits.

In the present condition of this case I am unable to determine whether Mr. Jenney's entry is confirmed by the act or not, and I therefore dismiss these proceedings *pro forma*, without prejudice to the rights of either party.

The papers transmitted with your letter of January 26, 1877, are herewith returned.

Very respectfully,

C. SCHURZ,  
Secretary.

The COMMISSIONER OF THE GENERAL LAND OFFICE.

The 21st section of the act of Congress approved July 17, 1862 (12 Stat. 595) applies to those aliens only who have enlisted or shall enlist in the armies of the United States, and does not include those who have enlisted or shall enlist in the Navy.

## DEPARTMENT OF THE INTERIOR.

*Washington September 14, 1877.*

SIR: I have considered the case of the Western Pacific Railroad Company *vs.* John McDevitt, involving the south half of southeast quarter, section 29, township 2 north, range 3 east, San Francisco, Cal., on appeal from your decision of December 28, 1876, approving the pre-emption cash entry of McDevitt for patenting.

The facts of the case are substantially as follows, viz:

The township plat was filed in the local land office July 25, 1863. This tract is within the limits of the grant to the Western Pacific Railroad Company, and was withdrawn for railroad purposes January 30, 1865. Said land, together with the southwest quarter of southwest quarter section 28, was selected by the State of California May 27, 1868, in lieu of the northeast quarter of northwest quarter and north half of southwest quarter, section 36, township 4 north, range 23 west, S. B. M. R. and R. No. 497. The State substantially abandoned the southwest quarter of southwest quarter, section 28, and said selection was canceled as to that tract.

McDevitt filed declaratory statement 6824 for said land August 31, 1870, alleging settlement April 1, 1863.

On November 22, 1872, your predecessor rejected the claim of the State and the railroad company and awarded the land to McDevitt, and this decision became final in default of appeal.

Pursuant to this decision Mr. McDevitt proved up and entered said tract April 15, 1873, per cash entry No. 4180.

From an examination of the papers in the case it appears that Mr. McDevitt was born in Ireland, and that he has never been naturalized or declared his intention to become a citizen of the United States.

It also appears that he served three (3) years in the United States Navy during the war with Mexico, and he claims citizenship by virtue of such service. On December 28, 1876, you decided that, under the 21st section of the act of Congress approved July 7, 1862, (12 Stat., 595,) and rulings in similar cases, (not cited,) Mr. McDevitt is a qualified pre-emptor so far as the question of citizenship is concerned.

I cannot agree with your conclusion. The act of Congress cited by you in support of your decision applies to those aliens only who have or shall enlist in the regular or volunteer armies of the United States, and does not include those who have or may enlist in the regular or volunteer navy.

There does not appear to be any good reason why the act should not have included sailors as well as soldiers; but as it did not, it is the duty of this Department to execute the law as it stands on the statute books, without reference to what might have been justly added to it by the law makers.

By the act of September 4, 1841, (5 Statutes, 455, section 2259, Revised Statutes,) the pre-emption privilege is granted to "every person being the head of a family, or widow, or single person over the age of twenty-one years and a citizen of the United States, or having filed a declaration of intention to become such, as required by the naturalization laws," &c. Mr. McDevitt was not a citizen of the United States, and had not declared his intention to become such at the time he settled on the land in dispute, or at the time of making his entry, and he had no more right to make said entry than any other subject of England.

Mr. McDevitt could have declared his intention to become a citizen at any time within the past twenty-five years; the courts were open to him, and it is through no fault of the Government or the law that he has not availed himself of his lawful privileges and brought himself within the statute, and his entry should be canceled on the records of your office.

Your decision is reversed for the reasons stated, and the papers transmitted with your letter of May 19, 1877, are herewith returned.

Very respectfully,

C. SCHURZ,  
*Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

## G.—PRE-EMPTION DIVISION.

This division has charge of entries of the public land under the pre-emption and town-site laws; also, sales of Osage Indian trust and diminished reserve lands, and claims of parties who purchased from Mexican grantees or assigns, lands within grants subsequently rejected, or which were excluded from final survey of confirmed grants.

Conflicting claims between claimants of the above-named character and others are here adjusted.

The following is a brief statement of the work performed in the division during the year ending June 30, 1877:

*Contested cases.*

In division, undecided, July 1, 1876.....	144
Received during the year ending June 30, 1877 .....	512
Total .....	656
Decided during same period .....	392
Finally referred to other divisions.....	15
	407
In division, undecided, July 1, 1877 .....	249

During the year there were closed on the docket by decisions of the Department, or on failure to appeal from decisions of this Office, 435 cases.

*Ex-parte entries.*

In division, unadjudicated, July 1, 1876 .....	310
Received during the year.....	4,665
Total .....	4,975
Finally disposed of during the year.....	4,560
Undisposed of July 1, 1877.....	415

Letters received in division during the year ending June 30, 1877, 5,677; letters written during same period, 6,575, covering 4,070 pages of record.

*Town sites.*

The legislation of the last session of Congress relating to town sites was very important. The act of March 3, 1877, "respecting the limits of reservations for town sites upon the public domain," has supplied a long needed want.

Pre-emption and homestead entries covering lands within the incorporated limits of a town or city can now be adjusted and patents may be issued thereon, notwithstanding the inhibition in section 2261 of the Revised Statutes. Cases are arising wherein applications are made for additional entries under the third section of the act referred to, a proceeding not allowed under previous laws. Lands adjoining towns, and for which entries have been made, and which are precluded from pre-emption or homestead entry—being within incorporated limits—may now be claimed by the proper town or city authorities, and application be made for an additional entry.

In the Coneburg, North Peabody, Kansas, town site case, the honorable Secretary of the Interior, in his decision of April 17, 1877, referring to the entry made for the North Peabody town site, holds:

That although said entry was irregularly made, it was made at the instance of, and for the benefit of, the legal occupants of the land; and so long as the interests of the people are amply protected by their own laws, and redress for injury to their property rights, arising in the adjudication of the trust, can be readily obtained through the medium of their own courts, taken in connection with the fact that the testimony produced on the trial evidences the honesty of purpose of the judge, and supplies all deficiency in the proof, sound public policy and a proper construction and execution of the law alike demand that this entry should be allowed to stand. I think it only necessary to say with reference to the name of the town entered, that in my opinion the *name* has little to do with the validity of this entry, which was certainly made by the proper officer, and for the direct use and benefit of all the legal occupants according to their respective interests.

In the Butte, Montana, town site case, the Commissioner, in his decision of November 23, 1876, held that:

As the Government, in issuing patents for town sites, conveys the premises within the exterior boundaries of the town site entry only in accordance with the provisions of law, the title to all mines of gold, silver, cinnabar, or copper, and to all valid mining claims or possessions, held under existing laws, which are situated within such exterior boundaries, still remains in the United States after patent has issued for such town site. Title to these mining claims or possessions can only be acquired under the provisions of law regulating the disposal of mineral lands by parties who show compliance with the terms of the mining acts. Patents issued for town sites in mining regions contain a clause in accordance with the terms of the law providing "that no title shall be acquired under this patent to any mine of gold, silver, cinnabar, or copper, or to any valid mining claim or possession held under existing laws. *And provided further*, That the grant hereby made is held and declared to be subject to all the conditions, limitations, and restrictions contained in section two thousand three hundred and eighty-six of the Revised Statutes of the United States, so far as the same are applicable thereto."

Under the provisions of law referred to, the patents for town sites containing such clause, are held subject to *any valid mining claim or possession*, and a purchase of a lot from the town site authorities holds the same subject to the same conditions.

I append a copy of the act of March 3, 1877, with the instructions issued thereunder:

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE.  
Washington, D. C., April 25, 1877.

GENTLEMEN: Your attention is invited to the following act of Congress and the instructions issued thereunder:

"AN ACT respecting the limits of reservations for town sites upon the public domain.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the existence or incorporation of any town upon the public lands of the United States shall not be held to exclude from pre-emption or homestead entry a greater quantity than twenty-five hundred and sixty acres of land, or the maximum area which may be entered as a town site under existing laws, unless the entire tract claimed or incorporated as such town site shall, including and in excess of the area above specified, be actually settled upon, inhabited, improved, and used for business and municipal purposes.

"SEC. 2. That where entries have been heretofore allowed upon lands afterward ascertained to have been embraced in the corporate limits of any town, but which entries are or shall be shown, to the satisfaction of the Commissioner of the General Land Office, to include only vacant unoccupied lands of the United States, not settled upon or used for municipal purposes, nor devoted to any public use of such town, said entries, if regular in all respects, are hereby confirmed and may be carried into patent: *Provided*, That this confirmation shall not operate to restrict the entry of any town-site to a smaller area than the maximum quantity of land which, by reason of present population, it may be entitled to enter under section twenty-three hundred and eighty-nine of the Revised Statutes.

"SEC. 3. That whenever the corporate limits of any town upon the public domain are shown or alleged to include lands in excess of the maximum area specified in section one of this act, the Commissioner of the General Land Office may require the authorities of such town, and it shall be lawful for them, to elect what portion of said lands, in compact form and embracing the actual site of the municipal occupation and improvement, shall be withheld from pre-emption and homestead entry; and thereafter the residue of such lands shall be open to disposal under the homestead and pre-emption laws. And upon default of said town authorities to make such selection within sixty days after notification by the Commissioner, he may direct testimony respecting the actual location and extent of said improvements, to be taken by the register and receiver of the district in which such town may be situated; and, upon receipt of the same, he may determine and set off the proper site according to section one of this act, and declare the remaining lands open to settlement and entry under the homestead and pre-emption laws; and it shall be the duty of the secretary of each of the Territories of the United States to furnish the surveyor-general of the Territory, for the use of the United States, a copy duly certified of every act of the legislature of the Territory incorporating any city or town, the same to be forwarded by such secretary to the surveyor general within one month from date of its approval.

"SEC. 4. It shall be lawful for any town which has made, or may hereafter make, entry of less than the maximum quantity of land named in section twenty-three hundred

and eighty-nine of the Revised Statutes, to make such additional entry, or entries, of contiguous tracts, which may be occupied for town purposes as, when added to the entry or entries therefore made, will not exceed twenty-five hundred and sixty acres: *Provided*, That such additional entry shall not, together with all prior entries, be in excess of the area to which the town may be entitled at date of the additional entry by virtue of its population, as prescribed in said section twenty-three hundred and eighty-nine.

"Approved March 3, 1877."

Section 1 of the foregoing act restricts the amount of land that can be reserved from pre-emption and homestead entry, by reason of the existence or incorporation of a town upon the public domain, to 2,560 acres, unless the excess shall "be actually settled upon, inhabited, improved, and used for business and municipal purposes."

Section 2 confirms pre-emption and homestead entries already made within the corporate limits of a town, said entry being regular in all respects, *provided* it shall be satisfactorily shown that the lands so entered are "not settled upon or used for any municipal purpose, nor devoted to any public use of such town."

Section 3 provides: That when it shall appear that the corporate limits of a town embrace lands in excess of the maximum quantity allowed, the proper authorities may select those portions that are actually occupied, used, and improved for municipal purposes, which lands shall be reserved from pre-emption and homestead entry, and the residue will be restored, or become subject to such settlement and entry. This selection must be made within sixty days from notice, and in default thereof a hearing will be ordered and testimony taken as to the condition of the land, and such portion set apart as shall appear to be within the meaning of the act.

Instructions in detail will be issued to you as cases arise for adjudication. The 4th section, with the proviso to the 2d section, provides for additional entries by towns, where entries have already been made, in cases in which an increase in the number of inhabitants would entitle them to an entry of a larger area, under section 23-9 of the Revised Statutes of the United States, such entries, however, to be within the maximum amount, or 2,560 acres.

Respectfully,

J. A. WILLIAMSON,  
Commissioner.

To UNITED STATES LAND OFFICERS.

*List of town site entries patented during the year.*

	Acres.
Safford, Ariz.....	160
French Corral, Cal.....	420
North San Juan, Cal.....	400
Sebastopol, Cal.....	240
Smartsville, Cal.....	165
Bridgeport, Cal.....	160
Camptonville, Cal.....	160
Confidence, Cal.....	189 <sup>23</sup> / <sub>100</sub>
Trinidad, Colo.....	160
Franklin, Idaho.....	640
Coffeyville, Kans.....	409 <sup>18</sup> / <sub>100</sub>
Concordia, Kans.....	515 <sup>18</sup> / <sub>100</sub>
Fort Benton, Mont.....	185 <sup>19</sup> / <sub>100</sub>
Butte, Mont.....	183 <sup>23</sup> / <sub>100</sub>
Panoca, Nev.....	360
Croydon, Utah.....	320
Minersville, Utah.....	160
Bear River City, Utah.....	339 <sup>50</sup> / <sub>100</sub>
<i>County seat Act May 26, 1824.</i>	
Hamilton, Nebr.....	160

STATE OF OREGON.

To settle upon lands of a swampy character would raise such a doubt of the settler's good faith as, upon proper application, to justify an order for an investigation. At such hearing the character of the land at the date of settlement should be determined.

When notice of selection of a tract by the State is received at the local land office, the State should be notified before proof and payment is made by the settler thereon; but where patents have been issued

under former rulings of the Interior Department, the cases will be considered as *res judicata*.

DEPARTMENT OF THE INTERIOR,  
Washington, D. C., October 13, 1876.

SIR: I have considered the appeal of the governor of the State of Oregon from your decision of March 11, 1876, in reply to his protest against the issuing of patents to certain pre-emption claimants on lands alleged to be swamp.

In your decision you state "that as no allegation of fraud in these entries is made, I see no legal way in which the issuing of patents to the claimants under the pre-emption laws can be prevented, if the laws are complied with and the settlement was made prior to receipt by the register and receiver of instructions relative to lands claimed as swamp.

"This office holds that a valid settlement under the pre-emption laws, followed by cultivation, final proof, and payment, or tender of purchase money, prior to issue of patent to the State, is such a disposition of the land as to bring it within the exceptions of the act of March 12, 1860, no matter whether the land is really swamp or not."

The State contends that the act of March 12, 1860, made a grant *in presenti* of swamp lands, and she asks that hearings be ordered for the purpose of ascertaining the character of the lands, and of showing her right to the same.

My predecessor, under date of December 2, 1874, in the case of *State of Oregon vs. Stott and Waggoner*, (Copp's P. L. Laws, page 475,) held as follows:

"The proviso of the first section of the act of 1860 is a clear limitation of the grant excepting from its operations all lands which the Government may have reserved, sold, or disposed of (in pursuance of any law theretofore enacted) prior to the confirmation of title, to be made under the act of 1850. In view of the construction given to the act of 1850 by the courts and the Department, it is evident that this confirmation of title referred to in the act of 1860 can only mean the patenting of the lands, as provided for by the second section of the act of 1850. Any reservation, sale, or disposition of the land by the Government under prior laws, therefore, prior to the patenting of the same to the State, as provided by the act of 1850, would except it from the operations of the grant to Oregon by the act of 1860.

"Was there such a sale or disposition in this case? I have no doubt that a valid settlement under the pre-emption law, followed by subsequent residence, improvement, and cultivation in good faith, and final proof and payment or tender of the price, would constitute a sale and disposition within the meaning of the act.

"But in order to constitute such a sale, it is clearly essential that all these steps should have been taken in perfect good faith, with the honest intention to appropriate the land for agricultural purposes, and this must be affirmatively shown."

This must be acknowledged as the rule of the Department, in its essential points, and the question consequently arises, were the pre-emption claims involved in the case under consideration valid ones? In a pre-emption claim the element of good faith is essential to its validity.

Good faith is presumed in all cases where it is not questioned or shown to be wanting, or the absence of it is apparent.

The act of 1860 was a notice to all that the Government had, in the exercise of its power and discretion, granted to the State of Oregon, with certain restrictions, all the swamp and overflowed lands, made thereby unfit for cultivation, which remained unsold at the passage of the act.

Under the pre-emption act, lands reserved by law or otherwise, for specific purposes, are not subject to entry. To settle upon lands of a swampy character would, of itself, I think, raise a sufficient doubt of the want of good faith on the part of such settler, as, upon application, to justify an order for an investigation; and if, in addition to the character of the land, notice had been received at the local office that the State claimed said land as swamp, it would be an additional evidence of the want of good faith.

In view of the proviso to the first section of the act of March 12, 1860, and the construction given to the same by this Department, the facts to be ascertained at such hearing should be the character of the land at the date of settlement, and not at the date of the passage of the act, and to justify a belief as to the want of good faith on the part of a settler the swampy character of the land should be clearly established, and the facts in relation to the receipt at the local office of the notice of selection by the State should also be ascertained.

Each case should then be determined upon its merits.

No investigation should be ordered except upon application by the State, and such application must be accompanied with at least *prima facie* evidence of the swampy character of the land; and when notice of selection has been received at the local office, the State should be notified of the claim of the settler before proof or payment is received, but where patents have issued under the former rulings of the Department the cases will be considered *res judicata*.

In the absence of such application the rule and practice of your office should govern.

Should it be shown that the land was of a swampy character, but that the settlement was made in good faith for the purpose of actual residence and cultivation, the claim should be admitted, as such an appropriation is expressly recognized by the proviso to the first section of the act of March 12, 1860. On the contrary, the want of good faith should defeat the claim of the settler.

Your decision is modified accordingly, and you will dispose of each case as it may come before you.

In the cases under consideration, a reasonable time should be given the State to take such action as she may deem proper.

The papers transmitted with your letter of July 27, 1876, are herewith returned.

Very respectfully,

CHAS. T. GORHAM,  
*Acting Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

#### STANLEY vs. FAIRCHILD.

The filing of a declaratory statement for a tract of land prior to settlement thereon does not invalidate a claim in the absence of an adverse right.

DEPARTMENT OF THE INTERIOR,  
*Washington, D. C., October 25, 1876.*

SIR: I have considered the case of Edwin Stanley vs. Marshall B. Fairchild, involving the right to enter the northwest fractional quarter of section 6, township 22, range 3 west, Wichita, Kans., on appeal from your decision of May 3, 1876, awarding the land to Stanley.

The order of cancellation of the prior homestead entry was received at the local office at 9 o'clock a. m., January 12, 1876.

The evidence shows that Stanley contested the prior homestead entry; that he settled on the land prior to the date of cancellation of said entry; erected a house thereon in which he slept during the night of January 11, 1876; that on the following morning he was at work improving his house, and remained so employed until about noon; and that he has continued to reside on the land.

Fairchild made some slight improvement by plowing a small tract prior to date of cancellation, and at noon on the 12th of January entered on the land, laid the foundation of a house which he subsequently completed, and was residing therein at the date of trial.

From this statement it appears that the legal settlement of Stanley preceded that of Fairchild by a few hours only, but in time to give him the better right.

Fairchild filed his declaratory statement, by an attorney, January 12 at 9 a. m., alleging settlement the same day, and, as stated above, his actual settlement was made at 12 o'clock on that day. As the filing preceded the settlement, you decided that the same was illegal and held it for cancellation.

The consideration of this point is not necessary for a determination of the case in question, but as it forms a part of your decision it must be reviewed. Following the plain interpretation of section 2265 of the Revised Statutes, it would seem that no provision is made for the filing of a declaratory statement prior to settlement; but does it follow that a filing so made is illegal to the extent of defeating the claim, in the absence of a valid adverse right, provided it is followed by immediate settlement and other compliance with the law?

The right of pre-emption is based upon settlement, which is notice to the world of a claim, and by law a filing is made not only a notice, but a protection, to the settler.

A filing without settlement does not constitute an appropriation of the land, neither does it withdraw the same from other entry. No one is injured by the existence of a filing, neither should the rights acquired by actual settlement be denied by reason of the existence of such filing. If two actual settlers claim the land, he who complies with the requirements of the statute has the better legal right. He who files subsequent to settlement has protected himself by a strict compliance with the law, while he who filed prior to settlement has failed to do so.

In the latter case, the settler's action not being authorized by law, his claim must yield to a valid adverse one. But this reasoning does not apply in the case where there is no valid adverse claim. Here the question is one between the Government and the settler, who should be encouraged, rather than impeded, by technicalities, where a substantial compliance with the law has been made.

These views are, I think, in conformity by analogy with those expressed by the Supreme Court in the case of *Johnson vs. Tonsley*, (13 Wall., p. 90.) on the subject of pre-emption filings. In the case above cited, of the two adverse claimants, if he who filed prior to settlement makes application subsequent to said settlement to file, as authorized by law, within the time required to take such action, he is protected.



It has been the practice of your office to require that settlement should precede a filing, and while I do not think that a claim is rendered invalid by a prior filing alone, yet the rule specified is based upon sound policy, and the views above expressed are not intended to authorize a change of that rule. Each case should be determined upon its merits, and the want of good faith in a settler should be a sufficient reason for rejecting his claim.

Your decision awarding the land is affirmed, and the papers transmitted with your letter of August 26, 1876, are herewith returned.

Very respectfully,

CHARLES T. GORHAM,  
*Acting Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

### DILLA *vs.* BOHALL.

DEPARTMENT OF THE INTERIOR,  
*Washington, D. C., September 26, 1876.*

SIR: I have considered the case of D. N. Dilla *vs.* Walter Bohall, involving the right to the southwest quarter of section 29, township 7 north, range 1 east, Humboldt meridian, Humboldt, Cal., on appeal from your decision of January 6, 1876, awarding the land to Dilla.

Your recital of the facts in the case, in all material particulars, appears to be correct. Since your action the decision of the district court has been affirmed by the supreme court of California.

Counsel for Bohall urge that effect should be given to this decision of the court. A compliance with this request would result in the rejection of a claim made under the pre-emption law, on account of fraud as found by the court, and the failure to comply with the terms of a contract made between said claimant and his alleged grantor, the defendant in this case. In other words, as the court adjudged that Dilla came into possession of the land by fraud, and was adjudged to have no legal right to the same, and was ejected by order of said court, he should not be recognized as possessing a valid pre-emption claim as against Bohall.

As stated, the evidence shows that Dilla was put in peaceable possession of the premises by Bohall in March, 1865, that he resided thereon and improved and cultivated the same until ejected by order of the court in May, 1868. He has complied with the requirements of the pre-emption law.

In 1865 the tract was a portion of the public domain of the United States, and the only right Bohall had to the same was a possessory right, which could only be maintained under the pre-emption law by means of personal evidence and possession.

Dilla cannot be recognized as a tenant of Bohall, or as holding for him, as such a relation is not recognized by the pre-emption law.

To be governed by the judgment of the court rejecting the right of Dilla to the land would be, in effect, to recognize its right to dispose of a claim to the public land of the United States.

The State of California was admitted into the Union upon the express condition that the people of said State, through their legislature or otherwise, should never interfere with the primary disposal of the public lands within its limits. Hence any action of her courts to this effect cannot be recognized by this Department.

Dilla's claim is based upon the ground of pre-emption; he obtained peaceable possession of the premises and has complied with the law in the matter of settlement and residence, and it is not for this Department to inquire whether the terms of the contract between himself and Bohall have been complied with, or to inquire by what means that contract was made.

The reason assigned by Dilla for his failure to occupy the land since his ejection therefrom must be recognized as valid, as it would be absurd to require of him an act which would place him in contempt of court. If, under this rule, the judgment of the court operates in his favor it is a matter which, in the absence of legislation by which such a state of affairs might be avoided, this Department is powerless to regulate. Dilla should be allowed to make payment for the land.

Your decision is affirmed, and the papers transmitted with your letter of July 21, 1876, are herewith returned.

Very respectfully,

CHAS. T. GORHAM,  
*Acting Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

## SUSPENDED ENTRIES.

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
*Washington, D. C., April 25, 1877.*

SIR: I have the honor to submit herewith, for your concurrence and that of the honorable Attorney General, a set of rules to govern me in submitting for confirmation, under section 2450 of the Revised Statutes of the United States, entries suspended for various causes, but which upon principles of equity and justice should be confirmed.

Authority to confirm suspended entries of the public lands was first vested in the Secretary of the Treasury, Attorney General, and Commissioner of the General Land Office, by act of Congress of August 3, 1846, and revised and extended by acts of 3d of March, 1853, and 26th of June, 1856.

Under these acts, from time to time, sixteen rules have been established, the last March 16, 1854. (See 1 Lester, Land Laws, p. 482, title 5.)

Since then the different homestead acts have been passed, and new classes of suspended entries under the pre-emption laws have arisen. I have prepared eleven new rules, from No. 17 to 27, inclusive. I find that many of the old established rules are obsolete.

The following statement is submitted as explanatory of rules 17 to 23, inclusive:

17. Cases where the pre-emption affidavit was taken before some officer other than the register or receiver, the law requires that the party "shall make out before the register or receiver of the land district in which the land is situated," &c. (Section 13, act September 4, 1841, and section 2262, Revised Statutes.)

The equity and justice of confirming this class of cases is apparent. This office is always satisfied of the inability of the party to appear at the local office before submitting the case to the board.

Where the affidavit was taken before some officer other than the register or receiver, and the land subsequently sold to an innocent purchaser, the entry would probably be confirmed under the fifteenth rule, established March 13, 1847.

18. The legal defect in this, as in the foregoing class of cases, consists in the party having taken his affidavit before an officer other than the register or receiver. Equitable relief is afforded, for the reason that the party being dead the defect cannot be cured.

19. The invalidity of this class of cases arises under the rules and regulations established by the Department. A tract appropriated by entry or selection cannot be again entered until restoration of the tract by cancellation of the prior entry or selection.

In this class of cases equitable relief has been afforded, for the reason that the local officers wrongfully allowed the entries, and the tracts, as afterwards shown, were in a state of abandonment by former claimants.

20. Entries under this class are illegal under section 10, act September 4, 1841, and section 2259 of the Revised Statutes, which provide "every person \* \* \* a citizen of the United States, or having filed a declaration of intention to become such," &c.

Equitable relief should only be afforded in this class where the party shows the most evident good intention to comply with the law.

21. Cases under this class are illegal under provisions of section 2265 of Revised Statutes, (section 5 act March 3d, 1843,) the land being unoffered.

Equitable relief has been granted by reason of long residence and valuable improvements.

22. Entries of this class are illegal under section 2261 of the Revised Statutes. Equitable relief should be granted for the following reasons: Under the act of March 3d, 1843, the Supreme Court of the United States, in the case of Johnson vs. Towsley, (13 Wall., 72,) decided that the restriction to one filing applied only to offered land. Prior to June 22, 1874, date of approval of Revised Statutes, more than one filing was allowed on unoffered land.

The provisions of the Revised Statutes on this subject were not promulgated until issuance of general circular by this office, June 17, 1875. Instructions were probably received at all the local offices by the 30th of June, 1875.

This office was not advised of the change in the law, owing to the same not being in print, until ten months after its approval. Cases of this class are constantly arising, where the parties have made valuable improvements and are apparently acting in good faith.

23. These cases are illegal under section 2262 of the Revised Statutes. They do not appear to fall within the first rule, approved October 3, 1846. The informality was caused by the action of the local land officers, and in most of the cases the parties cannot be found.

Cases in classes 24, 25, 26, and 27 are explained in the accompanying paper marked "A." The class marked "3" in said paper is covered by class 19.

Cases in each of the classes mentioned, except class 22, have been confirmed under section 2450 of the Revised Statutes.

It is believed that these classes will cover all agricultural entries falling under general rules.

Special cases not covered by the foregoing rules, in which equitable relief should be afforded, will probably arise. Such cases will be submitted as special, with letters of explanation.

I respectfully request that, if you should approve the accompanying rules, you will submit them to the Hon. Attorney General for his concurrence.

I am, sir, very respectfully,

J. A. WILLIAMSON,  
*Commissioner.*

Hon. CARL SCHURZ,  
*Secretary of the Interior.*

DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D. C., May 18, 1877.

SIR: I return herewith, approved by the Attorney General and myself, the additional rules transmitted with your letter of the 25th ultimo, numbered from 17 to 27, both inclusive, to govern your office in the disposal of suspended entries of public lands under various laws.

I am, sir, very respectfully, your obedient servant,

C. SCHURZ,  
*Secretary.*

Hon. J. A. WILLIAMSON,  
*Commissioner General Land Office.*

#### *Additional rules.*

Under section 2450 of the Revised Statutes of the United States, the following rules, additional to those established under the act of August 3, 1846, are provided for the government of the Commissioner of the General Land Office:

17. All entries where the pre-emption affidavit was taken before an officer authorized to administer oaths, when, on account of bodily infirmity, the party cannot appear at the local office.

18. All entries where the pre-emption affidavit was taken before some officer other than the register or receiver, and the pre-emptor died before the defect could be cured.

19. All entries made upon land appropriated by entry or selection, but which entry or selection was subsequently canceled for illegality.

20. Pre-emption entries in which the party has shown good faith, but did not, through ignorance of the law, declare his intention to become a citizen of the United States until after he made his entry.

21. All entries based upon pre-emption proof where the party had failed to file a declaratory statement therefor, provided no adverse claim attached prior to entry.

22. All entries of unoffered land, based upon a second declaratory statement, where the same was filed between June 22, 1874, and June 30, 1875.

23. All pre-emption entries in which the affidavit is defective in not showing that the party was not the owner of 320 acres of land in any State or Territory, and had never had the benefit of the act, the form for which affidavit was furnished by the local land office.

24. All homestead entries in which, by reason of ignorance of the law, sickness of the party or his family, the final proof was not made within the period prescribed by statute, but in other respects the law has been complied with.

25. All homestead entries in which the party failed to settle on the land within the time required by law by reason of physical disability, and where good faith is shown.

26. All homestead entries by mistake made in the name of the wrong party, but where on final proof the error may be corrected without prejudice to another's right.

27. In all homestead entries where the husband has deserted his wife and children, if he have any, who have in good faith complied with the homestead law by residence upon and cultivation of the land, and final proof shall be made by the wife, or, in case of her death, by her heirs or their legal guardians, such entry shall be confirmed, and patent shall issue to the parties entitled thereto.

J. A. WILLIAMSON,  
*Commissioner General Land Office.*

We concur in the above rules, May 8, 1877.

C. SCHURZ,  
*Secretary of the Interior.*  
CHAS. DEVENS,  
*Attorney General.*

M'KELVEY *vs.* RENCASLE.

Under the act of Congress approved March 3, 1875, entitled "An act for the relief of settlers on lands within railroad limits," it is held that the grants must be forfeited and the granted sections restored to the public domain by reason of failure to build the road for whose benefit lands were withdrawn, in order to entitle the settler to relief.

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
Washington, D. C., June 7, 1876.

GENTLEMEN: The testimony in the contested case of George McKelvey *vs.* Thomas Rencastle, involving title to the south half of the southeast quarter and south half of the southwest quarter section 20, township 20, range 28 east, has been received and considered.

George McKelvey claims the land under the act of March 3, 1875.

Thomas Rencastle filed declaratory statement 4674 April 16, alleging settlement March 16, 1875.

Trial had at your office January 17, 1876.

McKelvey applied at your office to enter said land under the act above quoted, August 20, 1875, but was refused by you on account of the filing of Rencastle. On appeal to this office, September 14, 1875, you were instructed to receive his application, noting thereon the date when it was refused, the filing of Rencastle being no bar to the same.

The application of McKelvey was based on his entry made in your office on the 25th April, 1873, of the south half of the northeast quarter and west half of the southeast quarter section 24, township 23 south, range 28 east, paying therefor the double minimum price.

Said tract at the date of the entry was within the 20-mile limits of the withdrawal of January 3, 1867, for the benefit of the Southern Pacific Railroad.

August 20, 1873, you were notified that, by the adjustment of the withdrawal, said tract was thrown outside the 20-mile limits and within the indemnity limits, and was, therefore, restored to the minimum price.

The act of March 3, 1875, has reference to those grants only which have been declared forfeited, and the granted sections restored to the public domain by reason of failure to build the road for whose benefit said lands were withdrawn.

In this case the land covered by the original entry of McKelvey was not forfeited, and he is not, therefore, entitled to an additional entry under said act.

In my letter of September 14, 1875, the only question considered was whether the entry of McKelvey should be allowed for the tracts covered by the filing of Rencastle, and no note was taken of the condition of the land covered by his original entry.

The entry of McKelvey is held for cancellation.

In regard to the claim of Rencastle I do not think it necessary to recite the testimony in the case, as it appears that on the 19th December, 1873, he filed for the southeast quarter section 20, township 20, range 28, which was canceled by my letter C of May 21, 1875, he having relinquished the same.

Under section 2261, Revised Statutes, his second and present filing is illegal, and must therefore be held for cancellation.

You must notify the parties in interest of this action, and allow the usual sixty days for appeal.

Respectfully,

U. J. BAXTER,  
Acting Commissioner.

REGISTER and RECEIVER,  
Visalia, Cal.

LONG *vs.* HARRIS.

Under section 2265 of the Revised Statutes, a settler, who has failed to file his declaratory statement within three months from time of settlement, under the clause "his claim shall be forfeited and the tract awarded to the next settler, in order of time, on the same tract of land who has given *such notice* and otherwise complied with the conditions of the law," will be liable to forfeit his claim in favor of *any* person who, by settlement, makes a legal appropriation of the tract.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D. C., May 2, 1877,

SIR: I have considered the case of William L. Long *vs.* Stephen F. Harris involving the right to the north half of northwest quarter, southwest of northwest and northwest of southwest quarter of section 20, township 24 north, range 6 west, Marysville, Cal., from your decision of June 29, 1876, adverse to the former.

You held the declaratory statement of Long for cancellation on the ground that he did not file within the time required by law, and that prior to said filing the adverse homestead right of Harris had attached.

The attorney for Long contends that under the provisions of section 2265 of the Revised Statutes, no forfeiture occurred by reason of failure to file within the time required by the statute, in the absence of the initiation of a claim under the pre-emption law, or, in other words, that only a claim initiated under said law can defeat the right of the prior settler.

I cannot agree with counsel in the position assumed.

To arrive at a correct conclusion in the case, the provisions of both the pre-emption and homestead laws must be considered.

Section 2265 is as follows: "Every claimant under the pre-emption law for land not yet proclaimed for sale is required to make known his claim in writing to the register of the proper land office within three months from the time of the settlement, giving the description of the tract and the time of settlement; otherwise his claim shall be forfeited and the tract awarded to the next settler, in order of time, on the same tract of land, who has given such notice and otherwise complied with the conditions of the law."

It is clearly provided that upon failure to file, the claim is forfeited, and the tract awarded to the next settler, who has given such notice and otherwise complied with the conditions of the law.

Section 2289 of the Revised Statutes provides that one quarter section or less of unappropriated public land, subject to pre-emption, may be entered as a homestead. The Supreme Court in the case of *Johnson vs. Tousley*, in discussing the effect of a filing, say:

"The words 'shall have given such notice' presuppose a case where some one has given such notice before the party who has thus neglected seeks to assert his right. If no other party has made a settlement or has given notice of such intention, then no one has been injured by the delay beyond three months, and if at any time after the three months, while the party is still in possession, he makes his declaration, and this is done before any one else has initiated a right of pre-emption by settlement or declaration, we can see no purpose in forbidding him to make his declaration or in making it void when made. And we think that Congress intended to provide for the protection of the first settler by giving him three months to make his declaration, and for all other settlers by saying if this is not done within three months any one else who has settled on it within that time, or at any time before the first settler makes his declaration, shall have the better right."

This language clearly indicates that in the opinion of the Court, any legal appropriation of the land, by settlement, will be a bar to the claim of the prior settler, otherwise the second settler would be injured by his delay, and subsequent assertion of right.

Long's right was forfeited by his neglect to file, and the homestead entry of Harris, being a notice of a claim made in compliance with a law for the disposal of the land in question, must be recognized as the notice provided for in the statute.

Your decision is therefore affirmed, and the papers transmitted with your letter of January 18, 1877, are herewith returned.

Very respectfully,

C. SCHURZ,  
Secretary.

The COMMISSIONER OF THE GENERAL LAND OFFICE.

MINOR *vs.* BRIGGS.

But one pre-emption right is extended to the settler, and only one declaratory statement can be legally filed by the same party.

DEPARTMENT OF THE INTERIOR,  
Washington, D. C., June 2, 1877.

SIR: I have considered the case of William H. Minor *vs.* S. F. Briggs, involving the south half of southwest quarter and north half of southwest quarter of section 7, township 6 north, range 2 east, Humboldt Meridian, Eureka, Cal., on appeal from

your decision of December 16, 1876, rejecting the claim of both, and holding their declaratory statements for cancellation.

The claims are based upon second declaratory statements filed for the same tract of land—the prior filing having been canceled for non-compliance with the law. It is contended by counsel for claimants that a second filing for the same tract is not prohibited by section 2261 of the Revised Statutes, which provides that “no person shall be entitled to more than one pre-emption right by virtue of the provisions of section 2259; nor where a party has filed his declaration of intention to claim the benefits of such provisions for one tract of land, shall he file at any future time a second declaration for another tract.”

But one pre-emption right is extended to the settler, and the filing of a declaratory statement is an essential feature of that right. If a settler may file a second declaratory statement for the same tract of land he may file a third or a fourth, and in this manner retain the possession and the right to purchase the tract for a long series of years without making actual payment for the same, a proceeding not contemplated by the statute, and in violation of its letter and spirit.

Your decision is, in my opinion, in accordance with the proper construction and interpretation of the statute, and is affirmed.

The papers transmitted with your letter of February 13, 1877, are herewith returned.

Very respectfully,

C. SCHURZ,  
Secretary.

The COMMISSIONER OF THE GENERAL LAND OFFICE.

#### H.—MILITARY BOUNTY LAND WARRANT DIVISION.

##### *Summary of the work of this division during the year.*

Letters received.....	2,502
Letters written.....	2,481
Number of pages of record occupied.....	2,498
Number of warrants examined and transmitted to Recorder for patent.....	875
Number of agricultural college scrip certificates examined and passed as above.....	224
Number of certificates of revolutionary bounty land scrip issued and recorded under act of August 31, 1852.....	104
Amount of acres called for thereby.....	7,212
Number of warrants, the assignments of which have been approved.....	420
Number of certificates of scrip, the transfers of which by attorneys have been approved.....	60
Number of certified copies of records, &c., made under section 461, United States Revised Statutes.....	217
Number of agricultural college scrip certificates reissued under act of June 20, 1874.....	21
Number of patents issued under acts of August 10, 1790, (1,) July 27, 1842, (1,) and special act of April 11, 1860, “Porterfield warrants,” (7).....	9
Amount of acres called for thereby.....	1,440

#### MILITARY BOUNTY LAND WARRANTS AND SCRIP.

##### *Land warrants.*

The amount of land located with military warrants granted under general laws for the year ending June 30, 1877, is 97,200 acres, to which should be added 280 acres called for by special warrants issued under the act of April 11, 1860, making an aggregate of 97,480 acres, which is less by 40,160 acres than the quantity reported for the preceding year.

Of this amount, 320 acres were located in virtue of warrants issued under the act of 1842, 4,760 acres under that of 1847, 9,160 acres under that of 1850, 120 acres act of 1852, 82,840 acres act of 1855, and 280 acres under the special act above referred to.

A tabular statement, No. 6, will be found accompanying the report, in which is set forth in detail all the operations had under the said several bounty land laws of 1847, 1850, 1852, and 1855, from the commencement of operations in virtue thereof down to the present time.

From this statement it will be learned that 12,907,480 acres of the

public lands have been located under the act of 1847, 12,784,040 acres under act of 1850, 678,080 acres under that of 1852, and 31,902,770 acres in virtue of the act of 1855, amounting in all to 58,272,370 acres, and that 23,701 bounty land warrants issued under all of said acts, and representing 2,701,940 acres, are still outstanding and unsatisfied.

In addition to this, it is to be observed that 124 warrants issued under act of 1842, and calling for 20,480 acres, and 60 warrants granted under the special act of April 11, 1860, for 2,400 acres, have never been presented for satisfaction.

There have been 875 warrants examined, found free from all defects or objection, and passed to the recorder for patent.

The approval of the assignments of 420 warrants in like condition has been certified to.

It was stated in the last annual report that 4,577 warrants were then on file, the location of which has been suspended, and the same withheld from patent for various defects. Of this number, 150 warrants have since been relieved and the patents therefor issued. There still remain 4,427 warrants suspended for material defects in the chain of title, or by reason of caveats filed against the satisfaction thereof either by the Commissioner of Pensions or by individuals claiming an interest therein.

Every suspended case has been promptly relieved and disposed of as soon as the objections to the satisfaction thereof were removed or cured.

Owing to the inadequacy of clerical force the necessary annotations as to the issue of patents under the act of 1855, and of the transmission or delivery thereof, have not been made. This should be done as soon as practicable, as answers to inquiries in relation thereto can now be made only upon the withdrawal from the files of each specified case; whereas, if the proper notes were entered upon the abstracts, the latter would furnish an easy and ready response. This course has been practiced under all the preceding bounty land laws, and should be followed under that of 1855, involving, as that act does, a greater amount of land bounty than all the preceding laws combined.

#### *Revolutionary bounty land scrip.*

Scrip has been issued to the extent of 7,212 acres under the provisions of the acts of Congress of August 31, 1852, and June 22, 1860, in satisfaction of that amount of bounty land warrants issued by the State of Virginia to the officers, soldiers, and seamen of her Continental and State line and State navy, during the war of the Revolution, the just and fair obligations of which commonwealth, under the bounty land laws thereof, the General Government has assumed; provided the same were allowed by the proper authorities thereof prior to March 1, 1852.

The issue of the scrip in question for the current year is embraced in 104 certificates, duly recorded, and 60 certificates of approval as to the transfer of the same have been indorsed thereon.

The amount of this class of scrip received in payment of the public lands as so much cash, at the rate of \$1.25 per acre for the year, is 4,482 acres.

For the satisfaction of these Virginia military land warrants there are now pending 319 claims, calling for 100,508 acres, of which 11 claims have been presented during the year, the amount of which is 8,110 acres.

Every perfected claim has been duly commuted into scrip.

#### *Agricultural college scrip.*

Of this class of scrip 224 pieces, calling for 35,840 acres, have been examined as to the regularity and validity of title thereto, and passed



for patent, and 4,320 acres of the public lands have been located therewith.

There have been issued, under the act of June 20, 1874, duplicate of lost or destroyed scrip to the number of 21 certificates, calling for 3,360 acres.

*Certified copies of records.*

Section 461, United States Revised Statutes, prescribes the terms and conditions, upon a compliance with which exemplifications of the records, plats, and papers on file can be procured.

Under this act 217 certified copies have been made and transmitted to parties in interest, the stated fees for which have been received.

*Special warrants.*

Seven warrants for 40 acres each, issued under act of April 11, 1860—"Porterfield warrants"—have been carried into patent. •

Of this class of warrants 60 for 40 acres each, still remain outstanding and unsatisfied.

*Virginia military district, Ohio.*

Patents for 1,000 acres of land therein have been issued, and there are now on file 67 applications, calling for 9,351 acres, the greater part of which have been suspended for want of the necessary proofs of the present proprietorship thereto, or on account of caveats filed against the satisfaction thereof, some by adverse claimants, but mainly on the part of the "Ohio Agricultural and Mechanical College."

This institution alleges that the pending surveys were made in excess of the amount of land called for by warrants in virtue of which the same purports to have been granted and are, therefore, void; and that the lands embraced therein are the property of the said college within the true intent and meaning of the resolution of Congress of February 18, 1871, entitled "An act to cede to the State of Ohio the unsold lands in the Virginia military district in said State," to all the rights and benefits of which the college in question succeeded under due legislation had by the said State.

The interests involved were fully and specifically set forth in my last report, and the representation justly made that the subject matter required further legislative action; in the absence of which I respectfully renew the recommendations made therein, as providing a fair and just settlement of the questions in dispute relative to the unpatented surveys in the said military district.

*Statement of the total number of acres located with military bounty land warrants issued under the acts of 1847, 1850, 1852, and 1855, in the several land States and Territories, for the year ending June 30, 1877.*

	Acrea.		Acrea.
California .....	79, 040	Louisiana .....	440
Michigan .....	6, 720	Oregon .....	320
Nebraska .....	1, 280	Arkansas .....	80
Kansas .....	4, 440	Utah Territory .....	160
Iowa .....	40	Dakota .....	1, 240
Colorado .....	800	Arizona .....	160
Florida .....	480	Idaho .....	160
Missouri .....	80		
Minnesota .....	720	Total .....	96, 880
Wisconsin .....	720		

J. A. WILLIAMSON,  
*Commissioner.*

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,  
August 29, 1877.

## K.—SWAMP AND OVERFLOWED LANDS.

Synopsis of the work of the division during the year ending September 30, 1877:

Number of letters received.....	908
Number of letters written.....	967
Number of pages of letter record filled.....	795
Number of patents executed.....	36
Number of pages of patent record filled.....	97
Number of tracts in regard to which evidence has been examined in contests between individuals and the swamp land claimants, (all of which were found "not swamp" and claim rejected).....	92
Number of pages of evidence examined in such cases.....	270
Number of tracts in regard to which evidence has been examined in contests between railroads and the swamp land claimants.....	37
Number of such tracts found to be "not swamp" and claim rejected.....	26
Number of same found to be "swamp".....	11
Number of pages of testimony examined in such cases.....	104
Number of tracts examined by field notes of survey to determine their character.....	15, 068
Number of such tracts found to be "not swamp".....	43
Number of tracts on which claims for indemnity have been adjusted.....	803
Number of pages of evidence examined in such cases.....	2, 750
Number of certified copies of records prepared for individuals.....	28

Under the acts of Congress granting swamp and overflowed lands to the States in which they are situated, 67,683,045.76 acres have been claimed by the States, and the claim reported to this office.

Of the lands thus claimed, 8,290,977.35 acres have been approved under the act of March 2, 1849, such approval having the force and effect of a patent; and 39,218,126.41 acres have been approved and patented under the act of September 28, 1850. (Revised Statutes, section 2480.)

In addition to the lands in place approved and patented as above stated, 414,203.15 acres have been patented pursuant to the provisions of the act of March 2, 1855, (Revised Statutes, section 2482,) as indemnity for swamp lands entered with warrants and scrip, making an aggregate of 47,923,306.91 acres approved and patented as swamp and indemnity lands.

During the past fiscal year there were formally approved as swamp and overflowed lands 320,935.05 acres, and during the same period 414,418.36 acres patented as swamp land.

## L.—DRAUGHTING DIVISION.

Work performed in this division during the past fiscal year:

1. Annual map of the United States.
2. Eight special maps of States where the lines of public surveys have been completed, viz: Alabama, Arkansas, Illinois, Indiana, Iowa, Mississippi, Missouri, and Ohio.
3. Volumes of field notes arranged and properly indexed, 57.
4. Railroad maps constructed with lateral limits of land granted to different railroad companies; also copies of same, and tracings of railroad maps showing line of road, 73.

Also, three volumes of railroad maps of Kansas, Michigan, and Iowa.

5. Exemplifications of plats, copies of town sites, tracings of private land and mineral patents, and copies of same in record book; also other records prepared for applicants for the same under act of Congress approved July 2, 1864, 1,604. In addition to this, surveys of islands and lakes have been tested, areas calculated, and diagrams of same made; also other miscellaneous calculations and protractations.

## M.—ACCOUNTANT'S DIVISION.

During the past fiscal year there were received and registered 5,464 letters, and during the same period there were 2,493 letters written, the latter covering 2,550 pages of letter post paper.

There were examined, adjusted, and reported to the First Comptroller of the Treasury, for final settlement:

Repayment accounts for lands erroneously sold.....	258
Receivers' accounts.....	448
Receivers' accounts, acting as disbursing agents.....	560
Five per centum accounts.....	5
Timber agents' accounts.....	50
State swamp indemnity accounts.....	12

Making a total of 1,333 accounts, covering 1,758 pages folio post, and 307 pages cap paper.

The record of the reports on said accounts, together with other written matter, embraced 3,700 pages folio.

Tabular statement No. 2 of the annual report for fiscal year ending June 30, 1876, was prepared during this fiscal year, and represents a great amount of labor.

## N.—MINERAL LANDS.

During the fiscal year ending June 30, 1877, 14,103 acres of land were entered under the provisions of the mining laws, and 13,243.92 acres were patented, involving a large amount of clerical labor in the examination of each claim and the preparation of the patent, owing to the numerous conflicts which exist.

Seventy-one more patents were issued during the past fiscal year than the year preceding, varying in area, the smallest being  $\frac{57}{1000}$  of an acre.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,  
Washington, D. C., April 10, 1877.

GENTLEMEN: Your attention is invited to the act of Congress approved January 12, 1877, entitled—

“AN ACT providing for the sale of saline lands.

“*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever it shall be made appear to the register and the receiver of any land office of the United States that any lands within their district are saline in character, it shall be the duty of said register and said receiver, under the regulation of the General Land Office, to take testimony in reference to such lands to ascertain their true character, and to report the same to the General Land Office; and if, upon such testimony, the Commissioner of the General Land Office shall find that such lands are saline and incapable of being purchased under any of the laws of the United States relative to the public domain, then, and in such case, such lands shall be offered for sale by public auction at the local land office of the district in which the same shall be situated, under such regulations as shall be prescribed by the Commissioner of the General Land Office, and sold to the highest bidder for cash, at a price not less than one dollar and twenty-five cents per acre; and in case said lands fail to sell when so offered, then the same shall be subject to private sale, at such land office, for cash, at a price not less than one dollar and twenty-five cents per acre, in the same manner as other lands of the United States are sold: *Provided,* That the foregoing enactments shall not apply to any State or Territory which has not had a grant of salines by act of Congress, nor to any State which may have had such a grant, until either the grant has been fully satisfied, or the right of selection thereunder has expired by efflux of time. But nothing in this act shall authorize the sale or conveyance of any title other than such as the United States has, and the patents issued shall be in the form of a release and quitclaim of all title of the United States in such lands.

“SEC. 2. That all executive proclamations relating to the sales of public lands shall be published in only one newspaper, the same to be printed and published in the State or Territory where the lands are situated, and to be designated by the Secretary of the Interior.”

This act provides a mode of proceeding by which public lands indicated by the field notes of survey, or otherwise, to be *saline in character* may be rendered subject to disposal.

Should *prima facie* evidence that certain tracts are saline in character be filed with the register and receiver of the proper land district, they will designate a time for a hearing at their office, and give notice to all parties in interest in order that they may have ample opportunity to be present with their witnesses.

At the hearing the witnesses will be thoroughly examined with regard to the true character of the land, and whether the same contains any known mines of gold, silver, cinnabar, lead, tin, copper, or other valuable mineral deposit, or any deposit of coal.

The witnesses will also be examined in regard to the extent of the saline deposits upon the given tracts, and whether the same are claimed by any persons; if so, the names of the claimants and the extent of their improvements must be shown.

The testimony should also show the agricultural capacities of the land, what kind of crops, if any, have been raised thereon, and the value thereof. The testimony should be as full and complete as possible, and in addition to the leading points indicated above, everything of importance bearing upon the question of the character of the land should be elicited at the hearing.

The register and receiver will transmit the testimony to this office with their joint opinion thereon. When the case comes before this office such a decision will be rendered in regard to the character of the land as the law and the facts may warrant.

Should the given tracts be adjudged agricultural, they will be subject to disposal as such. Should the tracts be adjudged *saline lands*, the register and receiver will be instructed to offer the same for sale, after public notice at the local land office of the district in which the same shall be situated, and to sell said tract or tracts to the highest bidder for cash, at a price of not less than one dollar and twenty-five cents per acre.

In case said lands fail to sell when so offered, the same will be subject to private sale at such land office, for cash, at a price of not less than one dollar and twenty-five cents per acre, in the same manner as other public lands are sold.

The provisions of this act do not apply to any lands within the Territories, nor to the lands within the State of Colorado until the grant to said State of salines has been fully satisfied or the right of selection has expired by efflux of time.

J. A. WILLIAMSON,  
Commissioner.

TO REGISTERS AND RECEIVERS.

### *United States mining laws and regulations thereunder.*

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE, February 1, 1877.

GENTLEMEN: Your attention is invited to the Revised Statutes of the United States, and the amendments thereto in regard to mining laws and mining resources.

#### TITLE XXXII, CHAPTER 6.

SECTION 2318. In all cases lands valuable for minerals shall be reserved from sale, except as otherwise expressly directed by law. Mineral lands reserved.

SEC. 2319. All valuable mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and purchase, and the lands in which they are found to occupation and purchase, by citizens of the United States and those who have declared their intention to become such, under regulations prescribed by law, and according to the local customs or rules of miners in the several mining districts, so far as the same are applicable and not inconsistent with the laws of the United States. 4 July, 1866, c. 166, s. 5, v. 14, p. 86. Mineral lands open to purchase by citizens. 10 May 1872, c. 152, s. 1, v. 17, p. 91. U. S. vs Gear, 3 How., 120.

SEC. 2320. Mining claims upon veins or lodes of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits, heretofore located, shall be governed as to length along the vein or lode by the customs, regulations, and laws in force at the date of their location. A mining claim located after the tenth day of May, eighteen hundred and seventy-two, whether located by one or more persons, may equal, but shall not exceed, one thousand five hundred feet in length along the vein or lode; but no location of a mining claim shall be made until the discovery of the vein or lode within the limits of the claim located. No claim shall extend more than three hundred feet on each side of the middle of the vein at the surface, nor shall any claim Length of mining claims upon veins or lodes. 10 May, 1872, c. 152, s. 2, v. 17, p. 91.

be limited by any mining regulation to less than twenty-five feet on each side of the middle of the vein at the surface, except where adverse rights existing on the tenth day of May, eighteen hundred and seventy-two, render such limitation necessary. The end lines of each claim shall be parallel to each other.

Proof of citizenship.

10 May, 1872, c. 152, s. 7, v. 17, p. 94.

SEC. 2321. Proof of citizenship, under this chapter, may consist, in the case of an individual, of his own affidavit thereof; in the case of an association of persons unincorporated, of the affidavit of their authorized agent, made on his own knowledge, or upon information and belief; and in the case of a corporation organized under the laws of the United States, or of any State or Territory thereof, by the filing of a certified copy of their charter or certificate of incorporation.

Locators' rights of possession and enjoyment.

10 May, 1872, c. 152, s. 3, v. 17, p. 91.

SEC. 2322. The locators of all mining locations heretofore made or which shall hereafter be made, on any mineral vein, lode, or ledge, situated on the public domain, their heirs and assigns, where no adverse claim exists on the tenth day of May, eighteen hundred and seventy-two, so long as they comply with the laws of the United States, and with State, territorial, and local regulations not in conflict with the laws of the United States governing their possessory title, shall have the exclusive right of possession and enjoyment of all the surface included within the lines of their locations, and of all veins, lodes, and ledges throughout their entire depth, the top or apex of which lies inside of such surface lines extended downward vertically, although such veins, lodes, or ledges may so far depart from a perpendicular in their course downward as to extend outside the vertical side lines of such surface locations. But their right of possession to such outside parts of such veins or ledges shall be confined to such portions thereof as lie between vertical planes drawn downward as above described, through the end lines of their locations, so continued in their own direction that such planes will intersect such exterior parts of such veins or ledges. And nothing in this section shall authorize the locator or possessor of a vein or lode which extends in its downward course beyond the vertical lines of his claim to enter upon the surface of a claim owned or possessed by another.

Owners of tunnels, rights of.

10 May, 1872, c. 152, s. 4, v. 17, p. 92.

SEC. 2323. Where a tunnel is run for the development of a vein or lode, or for the discovery of mines, the owners of such tunnel shall have the right of possession of all veins or lodes within three thousand feet from the face of such tunnel on the line thereof, not previously known to exist, discovered in such tunnel, to the same extent as if discovered from the surface; and locations on the line of such tunnel of veins or lodes not appearing on the surface, made by other parties after the commencement of the tunnel, and while the same is being prosecuted with reasonable diligence, shall be invalid; but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins on the line of such tunnel.

Regulations made by miners.

10 May, 1872, c. 152, s. 5, v. 17, p. 92.

SEC. 2324. The miners of each mining district may make regulations not in conflict with the laws of the United States, or with the laws of the State or Territory in which the district is situated, governing the location, manner of recording, amount of work necessary to hold possession of a mining claim, subject to the following requirements: The location must be distinctly marked on the ground so that its boundaries can be readily traced. All records of mining claims hereafter made shall contain the name or names of the locators, the date of the location, and such a description of the claim or claims located by reference to some natural object or permanent monument as will identify the claim. On each claim located after the tenth day of May, eighteen hundred and seventy-two, and until a patent has been issued therefor, not less than one hundred dollars' worth of labor shall be performed or improvements made during each year. On all claims located prior to the tenth day of May, eighteen hundred and seventy-two, ten dollars' worth of labor shall be performed or improvements made by the tenth day of June, eighteen hundred and seventy-four, and each year thereafter, for each one hundred feet in length along the vein until a patent has been issued therefor; but where such claims are held in common, such expenditure may be made upon any one claim; and upon a failure to comply with these conditions, the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made, provided that the original locators, their heirs, assigns, or legal representatives, have not resumed work upon the claim after failure and before such location. Upon the failure of any one of

several co-owners to contribute his proportion of the expenditures required hereby, the co-owners who have performed the labor or made the improvements may, at the expiration of the year, give such delinquent co-owner personal notice in writing, or notice by publication in the newspaper published nearest the claim, for at least once a week for ninety days, and if at the expiration of ninety days after such notice in writing or by publication such delinquent should fail or refuse to contribute his proportion of the expenditure required by this section, his interest in the claim shall become the property of his co-owners who have made the required expenditures.

SEC. 2325. A patent for any land claimed and located for valuable deposits may be obtained in the following manner: Any person, association, or corporation authorized to locate a claim under this chapter, having claimed and located a piece of land for such purposes, who has, or have, complied with the terms of this chapter, may file in the proper land office an application for a patent, under oath, showing such compliance, together with a plat and field-notes of the claim or claims in common, made by or under the direction of the United States surveyor-general, showing accurately the boundaries of the claim or claims, which shall be distinctly marked by monuments on the ground, and shall post a copy of such plat, together with a notice of such application for a patent, in a conspicuous place on the land embraced in such plat previous to the filing of the application for a patent, and shall file an affidavit of at least two persons that such notice has been duly posted, and shall file a copy of the notice in such land office, and shall thereupon be entitled to a patent for the land, in the manner following: The register of the land office, upon the filing of such application, plat, field-notes, notices, and affidavits, shall publish a notice that such application has been made, for the period of sixty days, in a newspaper to be by him designated as published nearest to such claim; and he shall also post such notice in his office for the same period. The claimant at the time of filing this application, or at any time thereafter, within the sixty days of publication, shall file with the register a certificate of the United States surveyor-general that five hundred dollars' worth of labor has been expended or improvements made upon the claim by himself or grantors; that the plat is correct, with such further description by such reference to natural objects or permanent monuments as shall identify the claim, and furnish an accurate description, to be incorporated in the patent. At the expiration of the sixty days of publication the claimant shall file his affidavit, showing that the plat and notice have been posted in a conspicuous place on the claim during such period of publication. If no adverse claim shall have been filed with the register and the receiver of the proper land office at the expiration of the sixty days of publication, it shall be assumed that the applicant is entitled to a patent, upon the payment to the proper officer of five dollars per acre, and that no adverse claim exists; and thereafter no objection from third parties to the issuance of a patent shall be heard, except it be shown that the applicant has failed to comply with the terms of this chapter.

SEC. 2326. Where an adverse claim is filed during the period of publication, it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries, and extent of such adverse claim, and all proceedings, except the publication of notice and making and filing of the affidavit thereof, shall be stayed until the controversy shall have been settled or decided by a court of competent jurisdiction, or the adverse claim waived. It shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence proceedings in a court of competent jurisdiction, to determine the question of the right of possession, and prosecute the same with reasonable diligence to final judgment; and a failure to do so shall be a waiver of his adverse claim. After such judgment shall have been rendered, the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment roll with the register of the land office, together with the certificate of the surveyor-general that the requisite amount of labor has been expended or improvements made thereon, and the description made in other cases, and shall pay to the receiver five dollars per acre for his claim, together with the proper fees, whereupon the whole proceedings and the judgment roll shall be certified by the register to the Commissioner of the General Land Office, and a patent shall issue thereon for the claim, or such portion thereof as the applicant shall appear, from the decision of the

Patents for mineral lands, how obtained.

10 May, 1872, c. 152, s. 6, v. 17, p. 92.

Adverse claim, proceedings on.

10 May, 1872, c. 152, s. 7, v. 17, p. 93.

court, to rightly possess. If it appears from the decision of the court that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim, with the proper fees, and file the certificate and description by the surveyor general, whereupon the register shall certify the proceedings and judgment roll to the Commissioner of the General Land Office, as in the preceding case, and patents shall issue to the several parties according to their respective rights. Nothing herein contained shall be construed to prevent the alienation of the title conveyed by a patent for a mining claim to any person whatever.

**Description of vein-claims on surveyed and unsurveyed lands.** SEC. 2327. The description of vein or lode claims, upon surveyed lands, shall designate the location of the claim with reference to the lines of the public surveys, but need not conform therewith; but where a patent shall be issued for claims upon unsurveyed lands, the surveyor general, in extending the surveys, shall adjust the same to the boundaries of such patented claim, according to the plat or description thereof, but so as in no case to interfere with or change the location of any such patented claim.

10 May, 1872, c. 152, s. 8, v. 17, p. 94.

**Pending application; existing rights.**

10 May, 1872, c. 152, s. 9, v. 17, p. 94.

**Conformity of placer-claims to surveys, limit of.**

9 July, 1870, c. 235, s. 12, v. 16, p. 217.

**Subdivisions of ten-acre tracts; maximum of placer locations.**

9 July, 1870, c. 235, s. 12, v. 16, p. 217.

**Conformity of placer-claims to surveys; limitation of claims.**

10 May, 1872, c. 152, s. 10, v. 17, p. 94.

**What evidence of possession, &c., to establish a right to a patent.**

9 July, 1870, c. 235, s. 13, v. 16, p. 217.

**Proceedings for patent for placer-claim, &c.**

10 May, 1872, c. 152, s. 11, v. 17, p. 94.

SEC. 2328. Applications for patents for mining claims under former laws now pending may be prosecuted to a final decision in the General Land Office; but in such cases, where adverse rights are not affected thereby, patents may issue in pursuance of the provisions of this chapter; and all patents for mining claims upon veins or lodes heretofore issued shall convey all the rights and privileges conferred by this chapter where no adverse rights existed on the tenth day of May, eighteen hundred and seventy-two.

SEC. 2329. Claims usually called "placers," including all forms of deposit, excepting veins of quartz or other rock in place, shall be subject to entry and patent, under like circumstances and conditions, and upon similar proceedings, as are provided for vein or lode claims; but where the lands have been previously surveyed by the United States, the entry in its exterior limits shall conform to the legal subdivisions of the public lands.

SEC. 2330. Legal subdivisions of forty acres may be subdivided into ten-acre tracts; and two or more persons, or associations of persons, having contiguous claims of any size, although such claims may be less than ten acres each, may make joint entry thereof; but no location of a placer claim, made after the ninth day of July, eighteen hundred and seventy, shall exceed one hundred and sixty acres for any one person or association of persons, which location shall conform to the United States surveys; and nothing in this section contained shall defeat or impair any bona fide pre-emption or homestead claim upon agricultural lands, or authorize the sale of the improvements of any bona fide settler to any purchaser.

SEC. 2331. Where placer claims are upon surveyed lands, and conform to legal subdivisions, no further survey or plat shall be required, and all placer-mining claims located after the tenth day of May, eighteen hundred and seventy-two, shall conform as near as practicable with the United States system of public-land surveys, and the rectangular subdivisions of such surveys, and no such location shall include more than twenty acres for each individual claimant; but where placer claims cannot be conformed to legal subdivisions, survey and plat shall be made as on unsurveyed lands; and where by the segregation of mineral lands in any legal subdivision a quantity of agricultural land less than forty acres remains, such fractional portion of agricultural land may be entered, by any party qualified by law, for homestead or pre-emption purposes.

SEC. 2332. Where such person or association, they and their grantors, have held and worked their claims for a period equal to the time prescribed by the statute of limitations for mining claims of the State or Territory where the same may be situated, evidence of such possession and working of the claims for such period shall be sufficient to establish a right to a patent thereto under this chapter, in the absence of any adverse claim; but nothing in this chapter shall be deemed to impair any lien which may have attached in any way whatever to any mining claim, or to property thereto attached prior to the issuance of a patent.

SEC. 2333. Where the same person, association, or corporation is in possession of a placer-claim, and also a vein or lode included within the boundaries thereof, application shall be made for a patent for the placer-claim, with the statement that it includes such vein or lode, and in such case a patent shall issue for the placer-claim, subject to the provi-



sions of this chapter, including such vein or lode, upon the payment of five dollars per acre for such vein or lode claim, and twenty-five feet of surface on each side thereof. The remainder of the placer-claim or any placer-claim not embracing any vein or lode claim, shall be paid for at the rate of two dollars and fifty cents per acre, together with all costs of proceedings; and where a vein or lode, such as is described in section twenty-three hundred and twenty, is known to exist within the boundaries of a placer-claim, an application for a patent for such placer-claim which does not include an application for the vein or lode claim shall be construed as a conclusive declaration that the claimant of the placer-claim, has no right of possession of the vein or lode claim; but where the existence of a vein or lode in a placer-claim is not known, a patent for the placer-claim shall convey all valuable mineral and other deposits within the boundaries thereof.

SEC. 2334. The surveyor-general of the United States may appoint in each land district containing mineral lands as many competent surveyors as shall apply for appointment to survey mining claims. The expenses of the survey of vein or lode claims and the survey and subdivision of placer-claims into smaller quantities than one hundred and sixty acres, together with the cost of publication of notices, shall be paid by the applicants, and they shall be at liberty to obtain the same at the most reasonable rates, and they shall also be at liberty to employ any United States deputy surveyor to make the survey. The Commissioner of the General Land Office shall also have power to establish the maximum charges for surveys and publication of notices under this chapter, and, in case of excessive charges for publication, he may designate any newspaper published in a land district where mines are situated for the publication of mining notices in such district, and fix the rates to be charged by such paper; and, to the end that the Commissioner may be fully informed on the subject, each applicant shall file with the register a sworn statement of all charges and fees paid by such applicant for publication and surveys, together with all fees and money paid the register and the receiver of the land office, which statement shall be transmitted, with the other papers in the case, to the Commissioner of the General Land Office.

SEC. 2335. All affidavits required to be made under this chapter may be verified before any officer authorized to administer oaths within the land district where the claims may be situated, and all testimony and proofs may be taken before any such officer, and, when duly certified by the officer taking the same, shall have the same force and effect as if taken before the register and receiver of the land office. In cases of contest as to the mineral or agricultural character of land, the testimony and proofs may be taken as herein provided on personal notice of at least ten days to the opposing party; or if such party cannot be found, then by publication of at least once a week for thirty days in a newspaper to be designated by the register of the land office as published nearest to the location of such land; and the register shall require proof that such notice has been given.

SEC. 2336. Where two or more veins intersect or cross each other, priority of title shall govern, and such prior location shall be entitled to all ore or mineral contained within the space of intersection; but the subsequent location shall have the right of way through the space of intersection for the purposes of the convenient working of the mine. And where two or more veins unite, the oldest or prior location shall take the vein below the point of union, including all the space of intersection.

SEC. 2337. Where non mineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such non-adjacent surface-ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable to veins or lodes; but no location hereafter made of such non-adjacent land shall exceed five acres, and payment for the same must be made at the same rate as fixed by this chapter for the superficies of the lode. The owner of a quartz-mill or reduction-works, not owning a mine in connection therewith, may also receive a patent for his mill-site, as provided in this section.

SEC. 2338. As a condition of sale, in the absence of necessary legisla-

Surveyor-general to appoint surveyors of mining claims, &c.

10 May, 1872, c. 152, s. 12, v. 17, p. 95.

Verification of affidavits, &c.

10 May, 1872, c. 152, s. 13, v. 17, p. 95.

Where veins intersect, &c.

10 May, 1872, c. 152, s. 14, v. 17, p. 96.

Patents for non-mineral lands, &c.

10 May, 1872, c. 152, s. 15, v. 17, p. 96.

What conditions of sale may

be made by local provide rules for working mines, involving easements, drainage, and legislation. other necessary means to their complete development; and those conditions shall be fully expressed in the patent.

26 July, 1866, c. 262, s. 5, v. 14, p. 252.

**Vested rights to use of water for mining, &c.; right of way for canals.** SEC. 2339. Whenever, by priority of possession, rights to the use of water for mining, agricultural, manufacturing, or other purposes, have vested and accrued, and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same, and the right of way for the construction of ditches and canals for the purposes herein specified is acknowledged and confirmed; but whenever any person, in the construction of any ditch or canal, injures or damages the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage.

26 July, 1866, c. 262, s. 9, v. 14, p. 253.

**Patents, pre-emption, and homesteads subject to vested and accrued water-rights.** SEC. 2340. All patents granted, or pre-emption or homesteads allowed, shall be subject to any vested and accrued water-rights, or rights to ditches and reservoirs used in connection with such water-rights, as may have been acquired under or recognized by the preceding section.

9 July, 1870, c. 235, s. 17, v. 16, p. 218.

**Mineral lands in which no valuable mines are discovered, open to homesteads.** SEC. 2341. Wherever, upon the lands heretofore designated as mineral lands, which have been excluded from survey and sale, there have been homesteads made by citizens of the United States, or persons who have declared their intention to become citizens, which homesteads have been made, improved, and used for agricultural purposes, and upon which there have been no valuable mines of gold, silver, cinnabar, or copper discovered, and which are properly agricultural lands, the settlers or owners of such homesteads shall have a right of pre-emption thereto and shall be entitled to purchase the same at the price of one dollar and twenty-five cents per acre, and in quantity not to exceed one hundred and sixty acres; or they may avail themselves of the provisions of chapter five of this Title, relating to "HOMESTEADS."

**Mineral lands how set apart as agricultural lands.** SEC. 2342. Upon the survey of the lands described in the preceding section, the Secretary of the Interior may designate and set apart such portions of the same as are clearly agricultural lands, which lands shall thereafter be subject to pre-emption and sale as other public lands, and be subject to all the laws and regulations applicable to the same.

26 July, 1866, c. 262, s. 11, v. 14, p. 253.

**Additional land-districts and officers, power of the President to provide.** SEC. 2343. The President is authorized to establish additional land districts, and to appoint the necessary officers under existing laws, wherever he may deem the same necessary for the public convenience in executing the provisions of this chapter.

26 July, 1866, c. 262, s. 7, v. 14, p. 252.

**Provisions of this chapter not to affect certain rights.** SEC. 2344. Nothing contained in this chapter shall be construed to impair, in any way, rights or interests in mining property acquired under existing laws; nor to affect the provisions of the act entitled "An act granting to A. Sutro the right of way and other privileges to aid in the construction of a draining and exploring tunnel to the Comstock lode in the State of Nevada," approved July twenty-five, eighteen hundred and sixty-six.

9 July, 1870, c. 235, s. 17, v. 16, p. 218.

**Mineral lands in certain States excepted.** SEC. 2345. The provisions of the preceding sections of this chapter shall not apply to the mineral lands situated in the States of Michigan, Wisconsin, and Minnesota, which are declared free and open to exploration and purchase, according to legal subdivisions, in like manner as before the tenth day of May, eighteen hundred and seventy-two. And any bona fide entries of such lands within the States named since the tenth of May, eighteen hundred and seventy-two, may be patented without reference to any of the foregoing provisions of this chapter. Such lands shall be offered for public sale in the same manner, at the same minimum price, and under the same rights of pre-emption as other public lands.

**Grants of lands to States or corporations not to include mineral lands.** SEC. 2346. No act passed at the first session of the Thirty-eighth Congress, granting lands to States or corporations to aid in the construction of roads or for other purposes, or to extend the time of grants made prior to the thirtieth day of January, eighteen hundred and sixty-five, shall be so construed as to embrace mineral lands, which in all cases are reserved exclusively to the United States, unless otherwise specially provided in the act or acts making the grant.

30 January, 1865, R. a. No. 10, v. 13, p. 567.

## REPEAL PROVISIONS.

## TITLE LXXIV.

SEC. 5595. The foregoing seventy-three titles embrace the Statutes of the United States general and permanent in their nature, in force on the first day of December, one thousand eight hundred and seventy-three, as revised and consolidated by commissioners appointed under an act of Congress, and the same shall be designated and cited as The Revised Statutes of the United States. What Revised Statutes embrace.

SEC. 5596. All acts of Congress passed prior to said first day of December, one thousand eight hundred and seventy-three, any portion of which is embraced in any section of said revision, are hereby repealed, and the section applicable thereto shall be in force in lieu thereof; all parts of such acts not contained in such revision having been repealed or superseded by subsequent acts, or not being general and permanent in their nature: *Provided*, That the incorporation into said revision of any general and permanent provision, taken from an act making appropriations, or from an act containing other provisions of a private, local, or temporary character, shall not repeal or in any way affect any appropriation, or any provision of a private, local, or temporary character, contained in any of said acts, but the same shall remain in force; and all acts of Congress passed prior to said last named day, no part of which are embraced in said revision, shall not be affected or changed by its enactments. Repeal of acts embraced in revision.

SEC. 5597. The repeal of the several acts embraced in said revision shall not affect any act done, or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause before the said repeal, but all rights and liabilities under said acts shall continue, and may be enforced in the same manner, as if said repeal had not been made; nor shall said repeal in any manner affect the right to any office, or change the term or tenure thereof. Accrued rights reserved.

SEC. 5598. All offenses committed and all penalties or forfeitures incurred under any statute embraced in said revision prior to said repeal, may be prosecuted and punished in the same manner and with the same effect, as if said repeal had not been made. Prosecutions and punishments.

SEC. 5599. All acts of limitation, whether applicable to civil causes and proceedings, or to the prosecution of offenses, or for the recovery of penalties or forfeitures, embraced in said revision and covered by said repeal, shall not be affected thereby, but all suits, proceedings, or prosecutions, whether civil or criminal, or causes arising or acts done or committed prior to said repeal, may be commenced and prosecuted within the same time as if said repeal had not been made. Acts of limitation.

SEC. 5600. The arrangement and classification of the several sections of the revision have been made for the purpose of a more convenient and orderly arrangement of the same, and therefore no inference or presumption of a legislative construction is to be drawn by reason of the title under which any particular section is placed. Arrangement and classification of sections.

SEC. 5601. The enactment of the said revision is not to affect or repeal any act of Congress passed since the first day of December, one thousand eight hundred and seventy-three, and all acts passed since that date are to have full effect as if passed after the enactment of this revision, and so far as such acts vary from, or conflict with, any provision contained in said revision, they are to have effect as subsequent statutes, and as repealing any portion of the revision inconsistent therewith. Acts passed since December 1, 1873, not affected.

Approved June 22, 1874.

The following is an act of Congress approved June 6, 1874 :

An act to amend the act entitled "An act to promote the development of the mining resources of the United States," passed May tenth, eighteen hundred and seventy-two.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of the fifth section of the act entitled "An act to promote the development of the mining resources of the United States," passed May tenth, eighteen hundred and seventy-two, which requires expenditures of labor and improvements on claims located prior to the passage of said act, are hereby so amended that the time for the first annual expenditure on claims located prior to the passage of said act shall be extended to the first day of January, eighteen hundred and seventy-five.

The following is an act of Congress approved February 11, 1875:

An act to amend section two thousand three hundred and twenty-four of the Revised Statutes, relating to the development of the mining resources of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section two thousand three hundred and twenty-four of the Revised Statutes be, and the same is hereby, amended so that where a person or company has or may run a tunnel for the purposes of developing a lode or lodes, owned by said person or company, the money so expended in said tunnel shall be taken and considered as expended on said lode or lodes, whether located prior to or since the passage of said act; and such person or company shall not be required to perform work on the surface of said lode or lodes in order to hold the same as required by said act.

The following is an act of Congress approved May 5, 1876:

An act to exclude the States of Missouri and Kansas from the provisions of the act of Congress entitled "An act to promote the development of the mining resources of the United States, approved May tenth, eighteen hundred and seventy-two.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That within the States of Missouri and Kansas deposits of coal, iron, lead, or other mineral be, and they are hereby, excluded from the operation of the act entitled "An act to promote the development of the mining resources of the United States," approved May tenth, eighteen hundred and seventy-two, and all lands in said States shall be subject to disposal as agricultural lands.

#### MINERAL LANDS OPEN TO EXPLORATION, OCCUPATION, AND PURCHASE.

1. It will be perceived that by the foregoing provisions of law the mineral lands in the public domain, surveyed or unsurveyed, are open to exploration, occupation, and purchase by all citizens of the United States and all those who have declared their intention to become such.

#### STATUS OF LODGE CLAIMS LOCATED PRIOR TO MAY 10, 1872.

2. By an examination of the several sections of the Revised Statutes it will be seen that the *status* of lode claims located *previous* to the 10th May, 1872, is not changed with regard to their *extent along the lode or width of surface*, such claims being restricted and governed, both as to their *lateral and linear* extent, by the State, territorial, or local laws, customs, or regulations which were in force in the respective districts at the date of such locations.

3. Mining rights acquired under such previous locations are, however, enlarged by said Revised Statutes in the following respect, viz: The locators of all such previously taken veins or lodes, their heirs and assigns, so long as they comply with the laws of Congress, and with State, territorial, or local regulations not in conflict therewith, governing mining claims, are invested with the exclusive possessory right of all the surface included within the lines of their locations, and of all the veins, lodes, or ledges throughout their entire depth, the top or apex of which lies inside of such surface lines extended downward vertically, although such veins, lodes, or ledges may so far depart from a perpendicular in their course downward as to extend outside the vertical side lines of such locations at the surface, it being expressly provided, however, that the right of possession to such outside parts of said veins or ledges shall be confined to such portions thereof as lie between vertical planes drawn downward as aforesaid, through the end lines of their locations so continued in their own direction that such planes will intersect such exterior parts of such veins, lodes, or ledges; no right being granted, however, to the claimant of such outside portion of a vein or ledge to enter upon the surface location of another claimant.

4. It is to be distinctly understood, however, that the law limits the possessory right to veins, lodes, or ledges *other* than the one named in the original location, to such as were not *adversely claimed* on May 10, 1872, and that where such other vein or ledge was so adversely claimed at that date, the right of the party so adversely claiming is in no way impaired by the provisions of the Revised Statutes.

5. In order to hold the possessory title to a mining claim located prior to May 10, 1872, and for which a patent has not been issued, the law requires that *ten dollars* shall be expended annually in labor or improvements on each claim of *one hundred feet* on the course of the vein or lode until a patent shall have been issued therefor; but where a number of such claims are held in common upon the same vein or lode the aggregate expenditure that would be necessary to hold all the claims, at the rate of ten dollars per hundred feet, may be made upon any one claim; a failure to comply with this requirement in any one year subjecting the claim upon which such failure occurred to relocation by other parties, the same as if no previous location thereof had ever been made, unless the claimants under the original location shall have resumed work thereon after

such failure and before such relocation. The first annual expenditure upon claims of this class should have been performed subsequent to May 10, 1872, and prior to January 1, 1875. From and after January 1, 1875, the required amount must be expended *annually* until patent issues.

6. Upon the failure of any one of several co-owners of a vein, lode, or ledge, which has not been patented, to contribute his proportion of the expenditures necessary to hold the claim or claims so held in ownership in common, the co-owners who have performed the labor, or made the improvements as required by said Revised Statutes, may, at the expiration of the year, give such delinquent co-owner personal notice in writing, or notice by publication in the newspaper published nearest the claim, for at least once a week for ninety days; and if upon the expiration of ninety days after such notice in writing, or upon the expiration of one hundred and eighty days after the first newspaper publication of notice, the delinquent co-owner shall have failed to contribute his proportion to meet such expenditure or improvements, his interest in the claim by law passes to his co-owners who have made the expenditures or improvements as aforesaid.

#### PATENTS FOR VEINS OR LODS HERETOFORE ISSUED.

7. Rights under patents for veins or lodes heretofore granted under previous legislation of Congress are enlarged by the Revised Statutes so as to invest the patentee, his heirs or assigns, with title to all veins, lodes, or ledges throughout their entire depth, the top or apex of which lies within the end and side boundary lines of his claim on the surface, as patented, extended downward vertically, although such veins, lodes, or ledges may so far depart from a perpendicular in their course downward as to extend outside the vertical side lines of the claim at the surface. The right of possession to such outside parts of such veins or ledges to be confined to such portions thereof as lie between vertical planes drawn downward through the end lines of the claim at the surface, so continued in their own direction that such planes will intersect such exterior parts of such veins or ledges; it being expressly provided, however, that all veins, lodes, or ledges, the top or apex of which lies inside such surface locations, *other* than the one named in the patent, which were *adversely claimed on the 10th May, 1872*, are excluded from such conveyance by patent.

8. Applications for patents for mining claims pending at the date of the act of May 10, 1872, may be prosecuted to final decision in the General Land Office, and, where no adverse rights are affected thereby, patents will be issued, in pursuance of the provisions of the Revised Statutes.

#### MANNER OF LOCATING CLAIMS ON VEINS OR LODS AFTER MAY 10, 1872.

9. From and after the 10th May, 1872, any person who is a citizen of the United States, or who has declared his intention to become a citizen, may locate, record, and hold a mining claim of *fifteen hundred linear feet* along the course of any mineral vein or lode subject to location; or an association of persons, severally qualified as above, may make joint location of such claim of *fifteen hundred feet*, but in no event can a location of a vein or lode made subsequent to May 10, 1872, exceed fifteen hundred feet along the course thereof, whatever may be the number of persons composing the association.

10. With regard to the extent of surface ground adjoining a vein or lode, and claimed for the convenient working thereof, the Revised Statutes provide that the lateral extent of locations of veins or lodes made after May 10, 1872, shall in no case *exceed three hundred feet on each side of the middle of the vein at the surface*, and that no such surface rights shall be limited by any mining regulations to less than twenty-five feet on each side of the middle of the vein at the surface, except where adverse rights existing on the 10th May, 1872, may render such limitation necessary, the end lines of such claims to be in all cases parallel to each other.

11. By the foregoing it will be perceived that no lode claim located after the 10th May, 1872, can exceed a parallelogram fifteen hundred feet in length by six hundred feet in width, but whether surface ground of that width can be taken depends upon the local regulations or State or territorial laws in force in the several mining districts; and that no such local regulations or State or territorial laws shall limit a vein or lode claim to less than fifteen hundred feet along the course thereof, whether the location is made by one or more persons, nor can surface rights be limited to less than fifty feet in width, unless adverse claims existing on the 10th day of May, 1872, render such lateral limitation necessary.

12. It is provided by the Revised Statutes that the miners of each district may make rules and regulations not in conflict with the laws of the United States, or of the State or Territory in which such districts are respectively situated, governing the location, manner of recording, and amount of work necessary to hold possession of a claim.

They likewise require that the location shall be so distinctly marked on the ground that its boundaries may be readily traced. This is a very important matter, and locators cannot exercise too much care in defining their locations at the outset, inasmuch as the law requires that all records of mining locations made subsequent to May 10, 1872, shall contain the name or names of locators, the date of the location, and such a *description of the claim or claims* located, by reference to some natural object or permanent monument, as will identify the claim.

13. The statutes provide that no lode claim shall be recorded until after the discovery of a vein or lode within the limits of the ground claimed; the object of which provision is evidently to prevent the encumbering of the district mining records with useless locations before sufficient work has been done thereon to determine whether a vein or lode has really been discovered or not.

14. The claimant should, therefore, prior to recording his claim, unless the vein can be traced upon the surface, sink a shaft, or run a tunnel or drift, to a sufficient depth therein to discover and develop a mineral-bearing vein, lode, or crevice; should determine, if possible, the general course of such vein in either direction from the point of discovery, by which direction he will be governed in marking the boundaries of his claim on the surface, and should give the course and distance as nearly as practicable from the discovery shaft on the claim, to some permanent, well known points or objects, such, for instance, as stone monuments, blazed trees, the confluence of streams, point of intersection of well known gulches, ravines, or roads, prominent buttes, hills, &c., which may be in the immediate vicinity, and which will serve to perpetuate and fix the *locus* of the claim and render it susceptible of identification from the description thereof given in the record of locations in the district.

15. In addition to the foregoing data, the claimant should state the names of adjoining claims, or, if none adjoin, the relative positions of the nearest claims; should drive a post or erect a monument of stones at each corner of the surface ground, and at the point of discovery or discovery shaft should fix a post, stake, or board, upon which should be designated the name of the lode, the name or names of the locators, the number of feet claimed, and in which direction from the point of discovery; it being essential that the location notice filed for record, in addition to the foregoing description, should state whether the entire claim of fifteen hundred feet is taken on one side of the point of discovery, or whether it is partly upon one and partly upon the other side thereof, and, in the latter case, how many feet are claimed upon each side of such discovery point.

16. Within a reasonable time, say twenty days after the location shall have been marked on the ground, notice thereof, accurately describing the claim in manner aforesaid, should be filed for record with the proper recorder of the district, who will thereupon issue the usual certificate of location.

17. In order to hold the possessory right to a location made since May 10, 1872, not less than one hundred dollars' worth of labor must be performed, or improvements made thereon, within one year from the date of such location, and annually thereafter; in default of which the claim will be subject to relocation by any other party having the necessary qualifications, unless the original locator, his heirs, assigns, or legal representatives, have resumed work thereon after such failure and before such relocation.

18. The expenditures required upon mining claims may be made from the surface or in running a tunnel for the development of such claims, the act of February 11, 1875, providing that where a person or company has, or may, run a tunnel for the purpose of developing a lode or lodes owned by said person or company, the money so expended in said tunnel shall be taken and considered as expended on said lode or lodes, and such person or company shall not be required to perform work on the surface of said lode or lodes in order to hold the same.

19. The importance of attending to these details in the matter of location, labor, and expenditure will be the more readily perceived when it is understood that a failure to give the subject proper attention may invalidate the claim.

#### TUNNEL RIGHTS.

20. Section 2323 provides that where a tunnel is run for the development of a vein or lode, or for the discovery of mines, the owners of such tunnel shall have the right of possession of all veins or lodes within three thousand feet from the face of such tunnel on the line thereof, not previously known to exist, discovered in such tunnel, to the same extent as if discovered from the surface; and locations on the line of such tunnel of veins or lodes not appearing on the surface, made by other parties after the commencement of the tunnel, and while the same is being prosecuted with reasonable diligence, shall be invalid, but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins or lodes on the line of said tunnel.

21. The effect of this is simply to give the proprietors of a mining tunnel run in good

faith the possessory right to fifteen hundred feet of any blind lodes out, discovered, or intersected by such tunnel, which were not previously known to exist, within three thousand feet from the face or point of commencement of such tunnel, and to prohibit other parties, after the commencement of the tunnel, from prospecting for and making locations of lodes on the *line thereof* and within said distance of three thousand feet, unless such lodes appear upon the surface or were previously known to exist.

22. The term "face," as used in said section, is construed and held to mean the first working face formed in the tunnel, and to signify the point at which the tunnel actually enters cover, it being from this point that the three thousand feet are to be counted, upon which prospecting is prohibited as aforesaid.

23. To avail themselves of the benefits of this provision of law, the proprietors of a mining tunnel will be required, at the time they enter cover as aforesaid, to give proper notice of their tunnel location, by erecting a substantial post, board, or monument at the face or point of commencement thereof, upon which should be posted a good and sufficient notice, giving the names of the parties or company claiming the tunnel right; the actual or proposed course or direction of the tunnel; the height and width thereof, and the course and distance from such face or point of commencement to some permanent well known objects in the vicinity by which to fix and determine the *locus* in manner heretofore set forth applicable to locations of veins or lodes; and at the time of posting such notice they shall, in order that miners or prospectors may be enabled to determine whether or not they are within the lines of the tunnel, establish the boundary lines thereof by stakes or monuments placed along such lines, at proper intervals, to the terminus of the three thousand feet from the face or point of commencement of the tunnel, and the lines so marked will define and govern as to the specific boundaries within which prospecting for lodes not previously known to exist is prohibited while work on the tunnel is being prosecuted with reasonable diligence.

24. At the time of posting notice and marking out the lines of the tunnel as aforesaid, a full and correct copy of such notice of location defining the tunnel claim must be filed for record with the mining recorder of the district, to which notice must be attached the sworn statement or declaration of the owners, claimants, or projectors of such tunnel, setting forth the facts in the case; stating the amount expended by themselves and their predecessors in interest in prosecuting work thereon; the extent of the work performed, and that it is *bona fide* their intention to prosecute work on the tunnel so located and described with reasonable diligence for the development of a vein or lode, or for the discovery of mines, or both, as the case may be.

This notice of location must be duly recorded, and, with the said sworn statement attached, kept on the recorder's files for future reference.

25. By a compliance with the foregoing, much needless difficulty will be avoided, and the way for the adjustment of legal rights acquired in virtue of said section 2323 will be made much more easy and certain.

26. This office will take particular care that no improper advantage is taken of this provision of law by parties making or professing to make tunnel locations, ostensibly for the purposes named in the statute, but really for the purpose of monopolizing the lands lying in front of their tunnels, to the detriment of the mining interests and to the exclusion of *bona fide* prospectors or miners; but will hold such tunnel claimants to a strict compliance with the terms of the statutes, and a *reasonable diligence* on their part in prosecuting the work is one of the essential conditions of their implied contract. Negligence or want of due diligence will be construed as working a forfeiture of their right to all undiscovered veins on the line of such tunnel.

#### MANNER OF PROCEEDING TO OBTAIN GOVERNMENT TITLE TO VEIN OR LODE CLAIMS

27. By section 2325 authority is given for granting titles for mines by patent from the Government, to any person, association, or corporation having the necessary qualifications as to citizenship, and holding the right of possession to a claim in compliance with law.

28. The claimant is required, in the first place, to have a correct survey of his claim under authority of the surveyor general of the State or Territory in which the claim lies; such survey to show with accuracy the exterior surface boundaries of the claim, which boundaries are required to be distinctly marked by monuments on the ground. Four plats and one copy of the original field notes, in each case, will be prepared by the surveyor general; one plat and the original field notes to be retained in the office of the surveyor general, one copy of the plat to be given the claimant for posting upon the claim, one plat and a copy of the field notes to be given the claimant for filing with the proper register, to be finally transmitted by that officer, with the other papers in the case, to this office, and one plat to be sent by the surveyor general to the register of the proper land district, to be retained on his files for future reference.

29. The claimant is then required to post a copy of the plat of such survey in a conspicuous place upon the claim, together with notice of his intention to apply for a patent therefor, which notice will give the date of posting, the name of the claimant,



the name of the claim, mine, or lode; the mining district and county; whether the location is of record, and, if so, where the record may be found; the number of feet claimed along the vein and the presumed direction thereof; the number of feet claimed on the lode in each direction from the point of discovery, or other well defined place on the claim; the name or names of adjoining claimants on the same or other lodes; or, if none adjoin, the names of the nearest claims, &c.

30. After posting the said plat and notice upon the premises, the claimant will file with the proper register and receiver a copy of such plat, and the field notes of survey of the claim, accompanied by the affidavit of at least two credible witnesses that such plat and notice are posted conspicuously upon the claim, giving the date and place of such posting, a copy of the notice so posted to be attached to and form a part of said affidavit.

31. Attached to the field notes so filed must be the sworn statement of the claimant that he has the possessory right to the premises therein described, in virtue of a compliance by himself (and by his grantors, if he claims by purchase) with the mining rules, regulations, and customs of the mining district, State, or Territory in which the claim lies, and with the mining laws of Congress; such sworn statement to narrate briefly, but as clearly as possible, the facts constituting such compliance, the origin of his possession, and the basis of his claim to a patent.

32. This affidavit should be supported by appropriate evidence from the mining recorder's office as to his possessory right, as follows, viz: Where he claims to be a locator, a full, true, and correct copy of such location should be furnished, as the same appears upon the mining records; such copy to be attested by the seal of the recorder, or if he has no seal then he should make oath to the same being correct, as shown by his records; where the applicant claims as a locator in company with others, who have since conveyed their interests in the lode to him, a copy of the original record of location should be filed, together with an abstract of title from the proper recorder, under seal or oath as aforesaid, tracing the co-locator's possessory rights in the claim to such applicant for patent; where the applicant claims only as a purchaser for valuable consideration, a copy of the location record must be filed, under seal or upon oath as aforesaid, with an abstract of title certified as above by the proper recorder, tracing the right of possession by a continuous chain of conveyances from the original locators to the applicant.

33. In the event of the mining records in any case having been destroyed by fire or otherwise lost, affidavit of the fact should be made, and secondary evidence of possessory title will be received, which may consist of the affidavit of the claimant, supported by those of any other parties cognizant of the facts relative to his location, occupancy, possession, improvements, &c.; and in such case of lost records, any deeds, certificates of location or purchase, or other evidence which may be in the claimant's possession, and tend to establish his claim, should be filed.

34. Upon the receipt of these papers the register will, at the expense of the claimant, publish a notice of such application for the period of sixty days in a newspaper published nearest to the claim, and will post a copy of such notice in his office for the same period. In all cases sixty days must intervene between the first and the last insertion of the notice in such newspaper.

35. The notices so published and posted must be as full and complete as possible, and embrace all the data given in the notice posted upon the claim.

36. Too much care cannot be exercised in the preparation of these notices, inasmuch as upon their accuracy and completeness will depend, in a great measure, the regularity and validity of the whole proceeding.

37. The claimant, either at the time of filing these papers with the register, or at any time during the sixty days' publication, is required to file a certificate of the surveyor general that not less than five hundred dollars' worth of labor has been expended or improvements made upon the claim by the applicant or his grantors; that the plat filed by the claimant is correct; that the field notes of the survey, as filed, furnish such an accurate description of the claim as will, if incorporated into a patent, serve to fully identify the premises, and that such reference is made therein to natural objects or permanent monuments as will perpetuate and fix the *locus* thereof.

38. It will be the more convenient way to have this certificate indorsed by the surveyor general, both upon the plat and field notes of survey filed by the claimant as aforesaid.

39. After the sixty days' period of newspaper publication has expired, the claimant will file his affidavit, showing that the plat and notice aforesaid remained conspicuously posted upon the claim sought to be patented during said sixty days' publication.

40. Upon the filing of this affidavit the register will, if no adverse claim was filed in his office during the period of publication, permit the claimant to pay for the land according to the area given in the plat and field notes of survey aforesaid, at the rate of five dollars for each acre and five dollars for each fractional part of an acre, the receiver issuing the usual duplicate receipt therefor; after which the whole matter will be for-

warded to the Commissioner of the General Land Office and a patent issued thereon if found regular.

41. In sending up the papers in the case, the register must not omit certifying to the fact that the notice was posted in his office for the full period of sixty days, such certificate to state distinctly when such posting was done and how long continued.

42. The consecutive series of numbers of mineral entries must be continued, whether the same are of lode or placer claims.

43. The surveyor general must continue to designate all surveyed mineral claims as heretofore by a progressive series of numbers, beginning with lot No. 37 in each township; the claim to be so designated at date of filing the plat, field notes, &c., in addition to the local designation of the claim; it being required in all cases that the plat and field notes of the survey of a claim must, in addition to the reference to permanent objects in the neighborhood, describe the *locus* of the claim with reference to the lines of public surveys by a line connecting a corner of the claim with the nearest public corner of the United States surveys, unless such claim be on unsurveyed lands at a remote distance from such public corner; in which latter case the reference by course and distance to permanent objects in the neighborhood will be a sufficient designation by which to fix the *locus* until the public surveys shall have been closed upon its boundaries.

#### ADVERSE CLAIMS.

44. Section 2326 provides for adverse claims, fixes the time within which they shall be filed to have legal effect, and prescribes the manner of their adjustment.

45. Said section requires that the adverse claim shall be filed during the period of publication of notice; that it must be on the oath of the adverse claimant; and that it must show the "*nature*," the "*boundaries*," and the "*extent*" of the adverse claim.

46. In order that this section of law may be properly carried into effect, the following is communicated for the information of all concerned:

47. An adverse mining claim must be filed with the register of the same land office with whom the application for patent was filed, or, in his absence, with the receiver, and within the sixty days' period of newspaper publication of notice.

48. The adverse notice must be duly sworn to by the person or persons making the same before an officer authorized to administer oaths within the land district, or before the register or receiver; it will fully set forth the nature and extent of the interference or conflict; whether the adverse party claims as a purchaser for valuable consideration or as a locator; if the former, a certified copy of the original location, the original conveyance, a duly certified copy thereof, or an abstract of title from the office of the proper recorder should be furnished, or if the transaction was a mere verbal one he will narrate the circumstances attending the purchase, the date thereof, and the amount paid, which facts should be supported by the affidavit of one or more witnesses, if any were present at the time, and if he claims as a locator he must file a duly certified copy of the location from the office of the proper recorder.

49. In order that the "*boundaries*" and "*extent*" of the claim may be shown, it will be incumbent upon the adverse claimant to file a plat showing his claim, its relative situation or position with the one against which he claims, and the extent of the conflict. This plat must be made from an actual survey by a United States deputy surveyor, who will officially certify thereon to its correctness; and in addition there must be attached to such plat of survey a certificate or sworn statement by the surveyor as to the approximate value of the labor performed or improvements made upon the claim by the adverse party or his predecessors in interest, and the plat must indicate the position of any shafts, tunnels, or other improvements, if any such exist, upon the claim of the party opposing the application, and by which party said improvements were made.

50. Upon the foregoing being filed within the sixty days as aforesaid, the register, or in his absence the receiver, will give notice in writing to *both parties* to the contest that such adverse claim has been filed, informing them that the party who filed the adverse claim will be required within thirty days from the date of such filing to commence proceedings in a court of competent jurisdiction to determine the question of right of possession, and to prosecute the same with reasonable diligence to final judgment, and that should such adverse claimant fail to do so his adverse claim will be considered waived, and the application for patent be allowed to proceed upon its merits.

51. When an adverse claim is filed as aforesaid, the register or receiver will indorse upon the same the precise date of filing, and preserve a record of the date of notifications issued thereon; and thereafter all proceedings on the application for patent will be suspended, with the exception of the completion of the publication and posting of notices and plat, and the filing of the necessary proof thereof until the controversy shall have been adjudicated in court, or the adverse claim waived or withdrawn.

52. The proceedings after rendition of judgment by the court in such case are so clearly defined by the act itself as to render it unnecessary to enlarge thereon in this place.

## PLACER CLAIMS.

53. The proceedings to obtain patents for claims usually called placers, including all forms of deposit, are similar to the proceedings prescribed for obtaining patents for vein or lode claims; but where said placer claim shall be upon surveyed lands, and conform to legal subdivisions, no further survey or plat will be required, and all placer mining claims located after May 10, 1872, shall conform as nearly as practicable with the United States system of public land surveys and the rectangular subdivisions of such surveys, and no such location shall include more than twenty acres for each individual claimant; but where placer claims cannot be conformed to legal subdivisions, survey and plat shall be made as on unsurveyed lands. But where such claims are located previous to the public surveys, and do not conform to legal subdivisions, survey, plat, and entry thereof may be made according to the boundaries fixed by local laws.

54. The proceedings for obtaining patents for veins or lodes having already been fully given, it will not be necessary to repeat them here; it being thought that careful attention thereto by applicants and the local officers will enable them to act understandingly in the matter and make such slight modifications in the notice, or otherwise, as may be necessary in view of the different nature of the two classes of claims, placer claims being fixed, however, at two dollars and fifty cents per acre, or fractional part of an acre.

55. By section 2330, authority is given for the subdivision of forty-acre legal subdivisions into ten-acre lots, which is intended for the greater convenience of miners in segregating their claims both from one another and from intervening agricultural lands.

56. It is held, therefore, that under a proper construction of the law these ten-acre lots in mining districts should be considered and dealt with, to all intents and purposes, as legal subdivisions, and that an applicant having a legal claim which conforms to one or more of these ten-acre lots, either adjoining or cornering, may make entry thereof, after the usual proceedings, without further survey or plat.

57. In cases of this kind, however, the notice given of the application must be very specific and accurate in description, and as the forty-acre tracts may be subdivided into ten-acre lots, either in the form of squares of ten by ten chains, or of parallelograms five by twenty chains, so long as the lines are parallel and at right angles with the lines of the public surveys, it will be necessary that the notice and application state specifically what ten-acre lots are sought to be patented, in addition to the other data required in the notice.

58. Where the ten-acre subdivision is in the form of a square it may be described, for instance, as the "S. E.  $\frac{1}{4}$  of the S. W.  $\frac{1}{4}$  of the N. W.  $\frac{1}{4}$ ," or, if in the form of a parallelogram as aforesaid, it may be described as the "W.  $\frac{1}{2}$  of the W.  $\frac{1}{2}$  of the S. W.  $\frac{1}{4}$  of the N. W.  $\frac{1}{4}$  (or the N.  $\frac{1}{2}$  of the S.  $\frac{1}{2}$  of the N. E.  $\frac{1}{4}$  of the S. E.  $\frac{1}{4}$ ) of section—, township—, range—," as the case may be; but, in addition to this description of the land, the notice must give all the other data that is required in a mineral application, by which parties may be put on inquiry as to the premises sought to be patented. The proof submitted with applications for claims of this kind must show clearly the character and the extent of the improvements upon the premises.

59. The proceedings necessary for the adjustment of rights where a known vein or lode is embraced by a placer claim are so clearly defined by section 2333 as to render any particular instructions upon that point at this time unnecessary.

60. When an adverse claim is filed to a placer application, the proceedings are the same as in the case of vein or lode claims, already described.

## QUANTITY OF PLACER GROUND SUBJECT TO LOCATION.

61. By section 2330 it is declared that no location of a placer claim, made after July 9, 1870, shall exceed one hundred and sixty acres for any one person or association of persons, which location shall conform to the United States surveys.

62. Section 2331 provides that all placer mining claims located after May 10, 1872, shall conform as nearly as practicable with the United States system of public surveys and the subdivisions of such surveys, and no such locations shall include more than twenty acres for each individual claimant.

63. The foregoing provisions of law are construed to mean that after the 9th day of July, 1870, no location of a placer claim can be made to exceed one hundred and sixty acres, whatever may be the number of locators associated together, or whatever the local regulations of the district may allow; and that from and after May 10, 1872, no location made by an individual can exceed twenty acres, and no location made by an association of individuals can exceed one hundred and sixty acres, which location of one hundred and sixty acres cannot be made by a less number than eight *bona fide* locators, but that whether as much as twenty acres can be located by an individual, or one hundred and sixty acres by an association, depends entirely upon the mining regu-

lations in force in the respective districts at the date of the location; it being held that such mining regulations are in no way enlarged by the statutes, but remain intact and in full force with regard to the size of locations, in so far as they do not permit locations in excess of the limits fixed by Congress; but that where such regulations permit locations in excess of the maximums fixed by Congress, as aforesaid, they are restricted accordingly.

64. The regulations hereinbefore given as to the manner of marking locations on the ground, and placing the same on record, must be observed in the case of placer locations, so far as the same are applicable; the law requiring, however, that where placer claims are upon surveyed public lands the locations must hereafter be made to conform to legal subdivisions thereof as near as practicable.

65. With regard to the proofs necessary to establish the possessory right to a placer claim, section 2332 provides that "where such person or association, they and their grantors, have held and worked their claims for a period equal to the time prescribed by the statute of limitations for mining claims of the State or Territory where the same may be situated, evidence of such possession and working of the claims for such period shall be sufficient to establish a right to a patent thereto under this chapter in the absence of any adverse claim."

66. This provision of law will greatly lessen the burden of proof, more especially in the case of old claims located many years since, the records of which, in many cases, have been destroyed by fire, or lost in other ways during the lapse of time, but concerning the possessory right to which all controversy or litigation has long been settled.

67. When an applicant desires to make his proof of possessory right in accordance with this provision of law, you will not require him to produce evidence of location, copies of conveyances, or abstracts of title, as in other cases, but will require him to furnish a duly certified copy of the statute of limitations of mining claims for the State or Territory, together with his sworn statement giving a clear and succinct narration of the facts as to the origin of his title, and likewise as to the continuation of his possession of the mining ground covered by his application; the area thereof; the nature and extent of the mining that has been done thereon; whether there has been opposition to his possession or litigation with regard to his claim, and, if so, when the same ceased; whether such cessation was caused by compromise or by judicial decree; and any additional facts within the claimant's knowledge having a direct bearing upon his possession and *bona fides* which he may desire to submit in support of his claim.

68. There should likewise be filed a certificate, under seal of the court having jurisdiction of mining cases within the judicial district embracing the claim, that no suit or action of any character whatever involving the right of possession to any portion of the claim applied for is pending, and that there has been no litigation before said court affecting the title to said claim or any part thereof for a period equal to the time fixed by the statute of limitations for mining claims in the State or Territory, as aforesaid, other than that which has been finally decided in favor of the claimant.

69. The claimant should support his narrative of facts relative to his possession, occupancy, and improvements by corroborative testimony of any disinterested person or persons of credibility who may be cognizant of the facts in the case and are capable of testifying understandingly in the premises.

70. It will be to the advantage of claimants to make their proofs as full and complete as practicable.

#### MILL SITES.

71. Section 2337 provides that, "where non-mineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such non-adjacent surface ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable to veins or lodes; but no location hereafter made of such non-adjacent land shall exceed five acres, and payment for the same must be made at the same rate as fixed by this chapter for the superficies of the lode. The owner of a quartz mill or reduction works, not owning a mine in connection therewith, may also receive a patent for his mill site, as provided in this section."

72. To avail themselves of this provision of law, parties holding the possessory right to a vein or lode, and to a piece of non-mineral land not contiguous thereto, for mining or milling purposes, not exceeding the quantity allowed for such purpose by the local rules, regulations, or customs, the proprietors of such vein or lode may file in the proper land office their application for a patent, under oath, in manner already set forth herein, which application, together with the plat and field notes, may include, embrace, and describe, in addition to the vein or lode, such non-contiguous mill site, and after due proceedings as to notice, &c., a patent will be issued conveying the same as one claim.

73. In making the survey in a case of this kind, the lode claim should be described in the plat and field notes as "Lot No. 37, A," and the mill site as "Lot No. 37, B," or

whatever may be its appropriate numerical designation; the course and distance from a corner of the mill site to a corner of the lode claim to be invariably given in such plat and field notes, and a copy of the plat and notice of application for patent must be conspicuously posted upon the mill site as well as upon the vein or lode for the statutory period of sixty days. In making the entry no separate receipt or certificate need be issued for the mill site, but the whole area of both lode and mill site will be embraced in one entry, the price being five dollars for each acre and fractional part of an acre embraced by such lode and mill site claim.

74. In case the owner of a quartz mill or reduction works is not the owner or claimant of a vein or lode, the law permits him to make application therefor in the same manner prescribed herein for mining claims, and after due notice and proceedings, in the absence of a valid adverse filing, to enter and receive a patent for his mill site at said price per acre.

75. In every case there must be satisfactory proof that the land claimed as a mill site is not mineral in character, which proof may, where the matter is unquestioned, consist of the sworn statement of the claimant, supported by that of one or more disinterested persons capable from acquaintance with the land to testify understandingly.

76. The law expressly limits mill site locations made from and after its passage to *five acres*, but whether so much as that can be located depends upon the local customs, rules, or regulations.

77. The registers and receivers will preserve an unbroken consecutive series of numbers for all mineral entries.

#### PROOF OF CITIZENSHIP OF MINING CLAIMANTS.

78. The proof necessary to establish the citizenship of applicants for mining patents must be made in the following manner: In case of an incorporated company, a certified copy of their charter or certificate of incorporation must be filed. In case of an association of persons unincorporated, the affidavit of their duly authorized agent, made upon his own knowledge, or upon information and belief, setting forth the residence of each person forming such association, must be submitted. This affidavit must be accompanied by a power of attorney from the parties forming such association, authorizing the person who makes the affidavit of citizenship to act for them in the matter of their application for patent.

79. In case of an individual or an association of individuals who do not appear by their duly authorized agent, you will require the affidavit of each applicant, showing whether he is a native or naturalized citizen when and where born, and his residence.

80. In case an applicant has declared his intention to become a citizen, or has been naturalized, his affidavit must show the date, place, and the court before which he declared his intention, or from which his certificate of citizenship issued, and present residence.

81. The affidavit of citizenship may be taken before the register and receiver, or any other officer authorized to administer oaths within the district.

#### APPOINTMENT OF DEPUTY SURVEYORS OF MINING CLAIMS—CHARGES FOR SURVEYS AND PUBLICATIONS—FEES OF REGISTERS AND RECEIVERS, ETC.

82. Section 2334 provides for the appointment of surveyors of mineral claims, authorizes the Commissioner of the General Land Office to establish the rates to be charged for surveys and for newspaper publications, prescribes the fees allowed to the local officers for receiving and acting upon applications for mining patents and for adverse claims thereto, &c.

83. The surveyors general of the several districts will, in pursuance of said law, appoint in each land district as many *competent* deputies for the survey of mining claims as may seek such appointment; it being distinctly understood that all expenses of these notices and surveys are to be borne by the mining claimants and not by the United States; the system of making *deposits* for mineral surveys, as required by previous instructions, being hereby revoked as regards *field work*; the claimant having the option of employing *any* deputy surveyor within such district to do his work in the field.

84. With regard to the *platting* of the claim and other *office work* in the surveyor general's office, that officer will make an estimate of the cost thereof, which amount the claimant will deposit with any assistant United States treasurer, or designated depository, in favor of the United States Treasurer, to be passed to the credit of the fund created by "individual depositors for surveys of the public lands," and file with the surveyor general duplicate certificates of such deposit in the usual manner.

85. The surveyors general will endeavor to appoint mineral deputy surveyors so that one or more may be located in each mining district for the greater convenience of miners.

86. The usual oaths will be required of these deputies and their assistants as to the correctness of each survey executed by them.

87. The law requires that each applicant shall file with the register and receiver a sworn statement of all charges and fees paid by him for publication of notice and for survey, together with all fees and money paid the register and receiver, which sworn statement is required to be transmitted to this office, for the information of the Commissioner.

88. Should it appear that excessive or exorbitant charges have been made by any surveyor or any publisher, prompt action will be taken with the view of correcting the abuse.

89. The fees payable to the register and receiver for filing and acting upon applications for mineral land patents are five dollars to each officer, to be paid by the applicant for patent at the time of filing, and the like sum of five dollars is payable to each officer by an adverse claimant at the time of filing his adverse claim.

90. All fees or charges under this law may be paid in United States currency.

91. The register and receiver will, at the close of each month, forward to this office an abstract of mining applications filed, and a register of receipts, accompanied with an abstract of mineral lands sold, and an abstract of adverse claims filed.

92. The fees and purchase money received by registers and receivers must be placed to the credit of the United States in the receiver's monthly and quarterly account, charging up in the disbursing account the sums to which the register and receiver may be respectively entitled as fees and commissions, with limitations in regard to the legal maximum.

#### HEARINGS TO ESTABLISH THE CHARACTER OF LANDS.

93. Section 2335 provides that all affidavits required under this chapter may be verified before *any* officer authorized to administer oaths within the land district where the claims may be situated, and all testimony and proofs may be taken before any such officer, and when duly certified by the officer taking the same, shall have the same force and effect as if taken before the register and receiver of the land office.

94. In cases of contest as to the mineral or agricultural character of land, the testimony and proofs may be taken, as hereinbefore provided, on personal notice of at least ten days to the opposing party, or, if such party cannot be found, then by publication of notice for at least once a week for thirty days in a newspaper to be designated by the register of the land office as published nearest to the location of such land, and the register shall require proof that such notice has been given.

95. Testimony for the purpose of disproving the mineral character of lands may be taken before any officer authorized to administer oaths within the land districts, and that where the residence of the parties who claim the land to be mineral is known, such evidence may be taken without publication ten days after the mineral claimants or affiants shall have been personally notified of the time and place of such hearing; but in cases where such affiants or claimants cannot be served with personal notice, or where the land applied for is returned as mineral upon the township plat, or where the same is now or may hereafter be suspended for non-mineral proof, by order of this office, then the party who claims the right to enter the land as agricultural will be required, at his own expense, to publish a notice once each week for five consecutive weeks in the newspaper of largest circulation published in the county within which said land is situated, or, if no newspaper is published within such county, then in a newspaper published in an adjoining county, the newspaper in either case to be designated by the register; which notice must be clear and specific, giving the name and address of the claimant, the designation of the subdivision embraced by his filing, the names of any miners or mining companies whose claims or improvements are upon the land or in the immediate vicinity thereof, the names of the parties who filed the affidavits that the land is mineral, and finally the notice should name a day, which shall not be less than thirty days from the date of the first insertion of said notice in such newspaper, upon which testimony will be taken to determine the facts as to the mineral or non-mineral character of the land. The notice must also state before what officer such hearing will be held and the place of such hearing. A copy of this notice must be posted in a conspicuous place upon each forty-acre subdivision claimed, during the publication of the notice, proof of which must be made under oath by at least two persons, who will state when the notice was posted and where posted.

96. At the hearing there must be filed the affidavit of the publisher of the paper that the said notice was published for the required time, stating when and for how long such publication was made, a printed copy thereof to be attached and made a part of the affidavit. In every case where practicable, in addition to the foregoing, *personal* notice must be served upon the mineral affiants, and upon any parties who may be mining upon or claiming the land.

97. At the hearing the claimants and witnesses will be thoroughly examined with regard to the character of the land; whether the same has been thoroughly pros-



pected; whether or not there exists within the tract or tracts claimed any lode or vein of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, or copper, or other valuable deposit, which has ever been claimed, located, recorded, or worked; whether such work is entirely abandoned, or whether occasionally resumed; if such lode does exist, by whom claimed, under what designation, and in which subdivision of the land it lies; whether any placer mine or mines exist upon the land; if so, what is the character thereof—whether of the shallow-surface description, or of the deep cement, blue lead, or gravel deposits; to what extent mining is carried on when water can be obtained, and what the facilities are for obtaining water for mining purposes; upon what particular ten-acre subdivisions mining has been done; and at what time the land was abandoned for mining purposes, if abandoned at all.

98. The testimony should also show the agricultural capacities of the land; what kind of crops are raised thereon, and the value thereof; the number of acres actually cultivated for crops of cereals or vegetables, and within which particular ten-acre subdivisions such crops are raised; also which of these subdivisions embrace his improvements, giving in detail the extent and value of his improvements, such as house, barn, vineyard, orchard, fencing, &c.

99. It is thought that *bona fide* settlers upon lands really agricultural will be able to show, by a clear, logical, and succinct chain of evidence, that their claims are founded upon law and justice; while parties who have made little or no permanent agricultural improvements, and who only seek title for speculative purposes, on account of the mineral deposits known to themselves to be contained in the land, will be defeated in their intentions.

100. The testimony should be as full and complete as possible; and, in addition to the leading points indicated above, everything of importance bearing upon the question of the character of the land should be elicited at the hearing.

101. Where the testimony is taken before an officer who does not use a seal, other than the register and receiver, the official character of such officer must be attested by a clerk of a court of record, and the testimony transmitted to the register and receiver, who will thereupon examine and forward the same to this office, with their joint opinion as to the character of the land as shown by the testimony.

102. When the case comes before this office such an award of the land will be made as the law and the facts may justify; and in cases where a survey is necessary to set apart the mineral from the agricultural land in any forty-acre tract, the necessary instructions will be issued to enable the agricultural claimant, *at his own expense*, to have the work done, at his option, either by United States deputy, county, or other local surveyor; the survey in such case may be executed in such manner as will segregate the portion of land actually containing the mine, and used as surface-ground for the convenient working thereof, from the remainder of the tract, which remainder will be patented to the agriculturist to whom the same may have been awarded, subject, however, to the condition that the land may be entered upon by the proprietor of any vein or lode for which a patent has been issued by the United States for the purpose of extracting and removing the ore from the same, where found to penetrate or intersect the land so patented as agricultural, as stipulated by the mining act.

103. Such survey when executed must be properly sworn to by the surveyor, either before a notary public, officer of a court of record, or before the register or receiver, the deponent's character and credibility to be properly certified to by the officer administering the oath.

104. Upon the filing of the plat and field notes of such survey, duly sworn to as aforesaid, you will transmit the same to the surveyor general for his verification and approval; who, if he finds the work correctly performed, will properly mark out the same upon the original township plat in his office, and furnish authenticated copies of such plat and description both to the proper local land office and to this office, to be affixed to the duplicate and triplicate township plats respectively.

105. In cases where a portion of a forty-acre tract is awarded to an agricultural claimant, and he causes the segregation thereof from the mineral portion as aforesaid, such agricultural portion will not be given a numerical designation as in the case of surveyed mineral claims, but will simply be described as the "Fractional \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of section \_\_\_\_\_, in township \_\_\_\_\_, of range \_\_\_\_\_, meridian \_\_\_\_\_, containing \_\_\_\_\_ acres, the same being exclusive of the land adjudged to be mineral in said forty-acre tract."

106. The surveyor must correctly compute the area of such agricultural portion, which computation will be verified by the surveyor general.

107. After the authenticated plat and field notes of the survey have been received from the surveyor general, this office will issue the necessary order for the entry of the land, and in issuing the receiver's receipt and register's patent certificate you will invariably be governed by the description of the land given in the order from this office.

108. The fees for taking testimony and reducing the same to writing in these cases will have to be defrayed by the parties in interest. Where such testimony is taken



before any other officer than the register and receiver, the register and receiver will be entitled to no fees.

109. If, upon the review of the testimony at this office, a ten-acre tract should be found to be properly mineral in character, that fact will be no bar to the execution of the settler's legal right to the remaining *non-mineral* portion of his claim, if contiguous.

110. No fear need be entertained that miners will be permitted to make entries of tracts ostensibly as mining claims which are not mineral, simply for the purpose of obtaining possession and defrauding settlers out of their valuable agricultural improvements; it being almost an impossibility for such a fraud to be consummated under the laws and regulations applicable to obtaining patents for mining claims.

111. The fact that a certain tract of land is decided upon testimony to be mineral in character is by no means equivalent to an award of the land to a miner. A miner is compelled by law to give sixty days' publication of notice, and posting of diagrams and notices, as a preliminary step; and then, before he can enter the land, he must show that the land yields mineral; that he is entitled to the possessory right thereto in virtue of compliance with local customs or rules of miners, or by virtue of the statute of limitations; that he or his grantors have expended, in actual labor and improvements, an amount of not less than five hundred dollars thereon, and that the claim is one in regard to which there is no controversy or opposing claim. After all these proofs are met, he is entitled to have a survey made at his own cost, where a survey is required, after which he can enter and pay for the land embraced by his claim.

J. A. WILLIAMSON,  
*Commissioner.*

#### DECISIONS AFFECTING MINING RIGHTS.

Where formal adverse claims are filed within the time prescribed by the statutes, the merits of the case must be determined in the courts.

DEPARTMENT OF THE INTERIOR,  
*Washington, D. C., December 26, 1876.*

SIR: On the 15th day of August, 1873, W. H. Pitts *et al.* filed an application with the local officers at Salt Lake City for a patent of a certain mining claim known as the King of the West Lode, situated in Little Cottonwood mining district, Utah Territory.

During the publication of the order made thereon, R. C. Chambers, claiming to be the purchaser for a valuable consideration of the mining claim known as the City Rock Lode, situated in the same mining district, filed an adverse claim for a portion of the tract embraced in said application, alleging prior discovery and improvement.

On the 23d of April, 1875, my predecessor reversed your decision of December 14th, 1874, and rejected the application of Pitts *et al.*, on the ground that the proof of the posting of the notice and diagram on the claim during the period of publication as required by law was defective.

He also rejected the adverse claim of Chambers on the ground that he was the secret trustee of the City Rock Mining Company, of London, England, a foreign corporation.

On the 29th of the same month a motion was made for a rehearing, and on the 24th of August, 1876, I decided that my predecessor's decision should be so modified as to allow the applicants to make an entry of the tract described in their application upon their showing compliance with law.

On the 28th ultimo the matter again came before me for a hearing by stipulation of the parties in interest upon the proofs heretofore filed in the case, subject to any legal objection thereto.

From the application of Pitts *et al.* and the accompanying papers, it appears that on the 12th day of September, 1870, J. Pitts *et al.* discovered the lode or vein known as the King of the West Lode, planted a stake thereon, to which they attached a notice giving the names of claimants, number of feet claimed, and the general course and direction thereof.

Subsequently they filed in the office of the recorder of said mining district a notice of their location; the proof showing that the notice and diagram required by law to be posted on the claim during the publication of the order made upon filing the application has been supplied since my decision of the 24th of August last, from which it appears that said notice and diagram were posted on the claim and remained so posted during the time of such publication.

Objection was made on the hearing that the application does not show in terms the particular manner in which the applicants had complied with all the rules and regulations of said mining district.

In those particulars in which it is considered material that an application should show such compliance, viz, the amount of work done each year and the possession and

development of the mine, the proof shows that the applicants and their grantors did comply with the rules and regulations of said district and the laws of the United States.

It is also objected that the notice of location is too indefinite.

The application shows that upon making the discovery of the lode the locators planted a stake thereon, to which they attached a notice of their claim, somewhat indefinite, it is true, but when taken in connection with the stake and the monuments mentioned, together with their subsequent improvements, I think was sufficiently definite, and that no one could have been or was misled thereby.

It was further objected that the proof of posting the notice and diagram upon the claim during the publication of the order made upon filing the application was not filed in proper time.

This question was considered upon the motion for a rehearing in the case, and in my opinion the neglect to file the proof with the application was sufficiently excused by the affidavits then filed.

It must be remembered that all of the proof made in an application for a patent of a mining claim is *ex parte*, and that proof that the applicants have complied with the law is of more importance than the time or order in which it is made.

I am of the opinion that the applicants are entitled to a patent of the tract described in their application, unless their right thereto shall be defeated in part by the superior right of their adverse claimant.

The adverse claim filed by Mr. Chambers shows that on the 29th day of June, 1870, Swen Johnson *et al.* discovered the vein or lode known as the City Rock lode or claim; that they marked out the extent and boundaries thereof, erected a location monument, and posted thereon a written notice of their location; that on the 11th day of July, 1870, they filed a notice of their claim with the recorder of said mining district; that said locators immediately commenced to work on said claim, and that the adverse claimant and his grantors have complied with all of the rules and regulations of said mining district.

The adverse claimant also files a map or diagram of the respective claims, showing their location and the conflict in their boundaries.

Within thirty days after filing said claim, as appears by the certificate of the clerk of the third judicial district of said Territory, Mr. Chambers commenced an action of ejectment against the applicants to recover the possession of that portion of the City Rock claim which is embraced in the application for a patent by the claimants of the King of the West lode.

It further appears by the certificates of the clerk of said court, dated October 16, 1876, that a judgment was subsequently rendered therein in favor of said Chambers and against the applicants. On behalf of said adverse claimant it is urged that upon filing the adverse claim and the commencement of said suit under the seventh section of the act of May 10, 1872, the jurisdiction to determine the rights of the parties to the tract in controversy was transferred to said court, and that this Department has no further duty to perform in the matter until a final determination shall be had of that case.

Section 7 of the act aforesaid reads as follows:

"That where an adverse claim shall be filed during the period of publication, it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries, and extent of such adverse claim; and all proceedings, except the publication of notice and making and filing of the affidavit thereof, shall be stayed until the controversy shall have been settled or decided by a court of competent jurisdiction or the adverse claim waived. It shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence proceedings in a court of competent jurisdiction to determine the question of the right of possession, and prosecute the same with reasonable diligence to final judgment, and a failure to do so shall be a waiver of his adverse claim.

"After such judgment shall have been rendered, the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment-roll with the register of the land office, together with the certificate of the surveyor-general that the requisite amount of labor has been expended or improvements made thereon, and the description required in other cases, and shall pay to the receiver five dollars per acre for his claims, together with the proper fees, whereupon the whole proceedings and the judgment-roll shall be certified by the register to the Commissioner of the General Land Office, and a patent shall issue thereon for the claim, or such portion thereof as the applicant shall appear from the decision of the court to rightly possess. If it shall appear from the decision of the court that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim with proper fees, and file the certificate and description by the surveyor-general, whereupon the register shall certify the proceedings and judgment roll to the Commissioner of the General Land Office, as in the preceding case, and patents shall issue to the several parties according to their respective rights."

The plain meaning of this section is that all contests which may arise in the disposal of the mineral lands shall be tried and determined, if tried at all, in a court of competent jurisdiction; that the adjudication and determination of that court shall be final and a patent for the tract in controversy shall issue to the successful party or parties, upon showing further compliance therewith. It is equally clear, I think, that when the court has acquired jurisdiction of the subject-matter in controversy, all other proceedings, except those mentioned, must be stayed until such determination is made, if the suit be prosecuted with reasonable diligence.

The only question which can ever arise is whether the adverse claimant has complied with its terms, so as to bring his case within it. He must file his claim during the period of publication, showing its "nature, boundaries, and extent," and bring suit for a recovery of the possession of it within thirty days thereafter, or be deemed to have waived it.

Has the adverse claimant in this case shown such a compliance? I think he has.

He filed his claim under oath during the period of publication, showing the origin of his title thereto as well as its nature, boundaries, and extent, and brought suit within the time prescribed to recover possession of that portion of it claimed by the applicants.

To this claim, as filed, the applicants object—

First. That it differs materially from the original location, which was for one thousand feet of the City Rock lode, "excepting six hundred feet northerly and four hundred feet southerly," while the claim as filed is for a tract of land lying nearly east and west.

Second. That the adverse claimant has no title to the tract claimed, or, if he has, he holds it as the secret trustee of the City Rock Company, a foreign corporation, and is therefore not entitled to present a claim.

Both of these objections go to the merits of the case and not to the form of the claim. It is unquestionably your duty, as well as mine, when an adverse claim is presented for consideration, to examine it, and determine whether the claimant has substantially set forth, under oath, its "nature, boundaries, and extent;" but if a compliance with the law is shown in these particulars, and a suit has been instituted to determine the rights of the parties, I am of the opinion that we can proceed no further with the investigation. It is the duty of the court in which the suit is pending to determine all other questions relating to the controversy.

I therefore direct that the application of W. H. Pitts *et al.* for a patent of the King of the West lode be suspended until the final adjudication and determination of the rights of the parties involved in the suit now pending in the third judicial district of Utah Territory be made, or it is shown that said suit is not prosecuted with reasonable diligence.

I herewith return the papers transmitted with your letter N, of September 21, 1876.

Very respectfully,

Z. CHANDLER, *Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

An application for patent is not relieved from suspension by the abandonment of the portion claimed adversely, unless the suit brought upon the adverse claim has been determined.

DEPARTMENT OF THE INTERIOR,  
Washington, D. C., February 17, 1877.

SIR: I have considered the application of O. D. Lambard for a patent for the Mount Pleasant mine, Sacramento, Cal.

Lambard filed application for a patent January 23, 1875. Notice was published from January 28 to April 1, 1875, inclusive.

During the period of publication, viz, March 26, Edward R. Morey filed an adverse claim, known as the "Charles mine," and commenced suit in the eleventh judicial district April 21, 1875.

On the 24th of March, Jacob B. Fisher, John Melton, and F. W. Earl filed an adverse claim, known as the "Irish mine," and commenced suit in the eleventh judicial district April 21, 1875.

On the 24th of March, Jacob B. Fisher, John Melton, and F. W. Earl filed an adverse claim, known as the "Earl mine," and on the 21st day of April, 1875, Fisher and Melton commenced suit in the eleventh judicial district, and at the August term of said court a judgment of nonsuit was entered in favor of the defendant. This decision was affirmed by the supreme court of California at the following January term, the court holding that "the defendant was the owner of an undivided interest in the mining claim, and as such was entitled to the exclusive possession thereof against the plaintiffs, they not having shown any title in themselves."

On the 23th of March, 1876, Fisher, Melton, and Earl commenced an action in the

court of the eleventh judicial district to recover possession of said "Earl mine," and they requested that said application shall be suspended until said suit shall have been determined, unless the application for patent shall be rejected.

In your decision of September 2, 1876, you hold that this suit, having been commenced after the expiration of the thirty days prescribed in the seventh section of the act of May 10, 1872, cannot operate as a bar to the issuance of a patent.

This decision is in accordance with that of my predecessor in the case of *H. B. Morse vs. Eli S. Streeter*. (Copp's U. S. Mining Decisions, p. 127.)

You also state that the application will remain suspended until it shall have been clearly established that the applicant has the possession, and the right of possession, of the premises, by virtue of compliance with the local laws or customs, and the congressional enactments.

On the 28th of December, 1876, A. St. C. Denver, esq., attorney, in behalf of the protestants, filed an argument adverse to the claim of Lambard.

December 4, 1876, the local officers transmitted additional evidence in the matter of the application of Lambard. In your decision of the 9th ultimo, you overruled the objections to the issuance of a patent, and announced that the case would be taken up at once for patenting. On the 10th ultimo, Mr. Denver, in behalf of the owners of the "Earl mine," the contestants and protestants, appealed from said decision. On the 13th ultimo, you informed Mr. Denver that an appeal by a protestant did not lie from the decision of your office, and on the same day Mr. Denver appealed from said decision claiming, first, that under the provisions of the sixth section of the act of May 10, 1872, an appeal may be taken by the protestants; secondly, that Fisher *et al.* did file an adverse claim and commenced suit within the time required; thirdly, that a suit is now pending before the district court, in which the property is situated, and that while said suit is pending they have the right to appear as contestants, as well as protestants, having the right to appeal from your decision, in order that their legal rights may be reviewed by the appellate authority.

I think your decision, that the suit now pending in relation to the "Earl mine" was not commenced within the time required, must be sustained; hence the parties can appear in the attitude of protestants only.

In my decision of March 24, 1876, in the matter of the application for a patent for the Boston quicksilver mine, on appeal from your decision denying the right of Mr. McGarraban to appeal to this Department, it was stated that "while it was laudable in Mr. McGarraban to make suggestions to your office of what he believed was an attempted fraud upon the Government in the matter of this application for patent, and proper for you to accept and consider such suggestions in an examination of the case, I can hardly conceive that it will be seriously contended that he, not being a party in interest, but standing in the relation of *amicus curiæ*, has a status entitling him to an appeal. I am very clearly of the opinion that he has no such right, and therefore affirm your decision to that effect."

Applying that rule to this case, Foster *et al.* not being parties in interest, in the eye of the law, by reason of their failure to commence suit in time, and appearing as protestants only, have no right of appeal.

It appears, as before stated, that E. R. Morey, claiming the "Charles mine," presented an adverse claim, and commenced suit, upon complaint duly filed, within the prescribed time.

This suit was pending at the date of your decision, and, in my opinion, should have operated as a stay of all proceedings before this Department, as indicated in my letters of December 26, 1876, in the case of the King of the West *vs.* City Rock, and of the 3d ultimo, in the case of the Last Chance No. 2.

Since the date of your decision, however, viz, on the 16th of February, there was filed with me a certified copy of the complaint of E. R. Morey in the suit commenced April 21, 1875, in the eleventh judicial district of California, also a duly certified copy of the following confession of judgment:

[No. 2785.]

In the district court, eleventh judicial district, county of El Dorado, State of California.

E. R. MOREY, PLAINTIFF, }  
vs. }  
O. L. LAMBARD, DEFENDANT. }

Now comes the defendant by his attorneys, G. J. Carpenter and George Cadwalader, and waiving all his other pleas in the above cause, hereby disclaims any right, title, or interest in and to the premises described in the complaint of plaintiff herein, and

consents that plaintiff have judgment according to the prayer of his complaint herein.

G. J. CARPENTER,  
GEO. CADWALADER,  
*Attorneys for Defendant.*

I hereby acknowledge service of the above answer and consent to the filing thereof.

A. P. CATLIN,  
GEO. G. BLANCHARD,  
*Attorneys for Plaintiffs.*

(Indorsed:) Filed February 6, 1877. Geo. Burnham, clerk.

Papers filed on the 16th instant also show that the same action was taken in the case of J. B. Fisher *et al.*, claiming the "Irish" mine, who commenced suit April 21, 1875, as appears from the following:

[No. 2786.]

In the district court of the eleventh judicial district, county of El Dorado, State of California.

J. B. FISHER AND JOHN NELTON, PLAINTIFFS, }  
vs. }  
ORVILL D. LAMBARD, DEFENDANT.

Now comes the defendant by his attorneys, G. J. Carpenter and George Cadwalader, and waiving all his other pleas in the above cause, consents that plaintiffs have and recover judgment against him according to the prayer of their complaint herein.

G. J. CARPENTER,  
GEO. CADWALADER,  
*Attorneys for Defendant.*

I hereby acknowledge service of the above answer, and consent to the filing thereof.

A. P. CATLIN and  
GEO. G. BLANCHARD,  
*Attorneys for Plaintiffs.*

(Indorsed:) Filed February 6, 1877. George Burnham, clerk.

It thus appears that Lambard has waived his claim to the premises in dispute and debarred himself from asserting his right to the same in the future.

The seventh section of the act of May 10, 1872, requires that when suit has been commenced all proceedings shall be stayed until the controversy shall have been settled or decided by a court of competent jurisdiction, or the adverse claim waived.

By the action of Lambard, the defendant, taken before the proper tribunal, viz, the court having jurisdiction in the case, the plaintiffs, Morey, Fisher *et al.*, have obtained all they sought to obtain by the commencement of the suits, and the same are virtually ended, and the controversy settled. No reason therefore exists why a patent should not issue for the tract not in controversy.

The abandonment of the surface ground, or of the entire premises in controversy, before this Department, and the continued prosecution of the suit, involving the same premises, before a court of competent jurisdiction, is not in my opinion a proceeding justified by a correct interpretation of the mining law, but when the applicant for a patent before this Department who becomes the defendant, in a suit commenced by an adverse claimant, in a court of competent jurisdiction, waives his claim, confesses judgment, and thus acknowledges the superior right of the plaintiff to the tract in dispute, he has done all that can be required of him in thus ending the controversy, and should be no longer deprived of a patent for the premises to which he has shown himself legally entitled.

Your decision, holding that Lambard is entitled to a patent, is affirmed for that portion of the premises not covered by the claim known as the "Charles" and the "Irish" mines.

The papers transmitted with your letter of the 18th ultimo are herewith returned.

Very respectfully,

CHAS. T. GORHAM,  
*Acting Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

Suit must be commenced within thirty days from filing the adverse claim.

DEPARTMENT OF THE INTERIOR.

Washington, D. C. April 17, 1877.

SIR: I have considered the question presented by your letter of February 12th last, in the matter of the application of C. E. Schoellkopf *et al.*, for a patent for the Pride of the West mine, Animas mining district, Colorado, Oscar Roedel *et al.*, adverse claimants.

The question for determination is, can the adverse claimants be considered by this Department as parties in interest, and therefore entitled to an appeal? If so, it results from the fact that they have filed notice of an adverse claim and commenced suit within the period of time required by the statute.

The adverse claim was filed December 8, 1875. From the certificate of George A. Bute, clerk of the district court for the third judicial district of Colorado, it appears that C. Husted and Wilson and Taylor, attorneys for O. Roedel *et al.*, plaintiffs, commenced suit January 31, 1876, against C. E. Schoellkopf *et al.*, defendants, involving the possession of the premises, or a portion of the premises, in controversy.

It will thus be seen from the record that the suit was not commenced within the period required by law, viz, within thirty days after the filing of the adverse claim.

There is on file an affidavit of Charles Husted, dated January 8, 1876, stating that on the 29th day of December, 1875, as attorney for Oscar Roedel *et al.*, he mailed, postage paid, and addressed to the clerk of the district court, a declaration and præcipe in ejectment, that Schoellkopf *et al.* were defendants, and that the premises involved were those now in dispute.

On the 10th of August, 1876, Oscar Roedel, one of the adverse claimants, and one of the plaintiffs, filed an affidavit asserting that Charles Husted, his attorney, employed for the purpose of filing the adverse claim and commencing suit, corruptly conspired with Schoellkopf, the applicant, to delay the commencement of the suit beyond the period of thirty days after filing the adverse claim. The allegations of Roedel are denied by the affidavit of Schoellkopf.

I shall not attempt to reconcile these conflicting statements. It is apparent that the suit was not actually commenced within the period required, for, by the laws of Colorado, it is provided that "the action of ejectment shall hereafter be commenced by the filing of a declaration in the office of the district court of the proper county, whereupon a summons shall issue directed to the sheriff for services as in other cases." The mailing of a declaration addressed to the clerk of the court, cannot be considered the filing of the same in the office of the district court, and the commencement of a suit.

The provisions of the statute requiring the suit to be commenced within a certain time are mandatory. The time in which such action is to be taken is limited, and it is not within the province of this Department to extend the time fixed; no discretion or power to thus act is vested by this statute in the Department. Congress, no doubt, for wise purposes, thus restricted the authority of the executive officers of the Government, and opened wide the door of the courts to the adverse claimant. It is his duty to commence his action in the proper form, and if he elects, in so important a matter as the filing of his declaration, to trust to the uncertain medium of the United States mail, he must abide the consequences of delay, should delay ensue through misfortune or accident; or should the failure to commence suit in time be the result of the unadvised or the corrupt or dishonest action of his attorney, it is a matter that the Department is powerless to redress; he must seek for relief in the proper tribunal—the courts are open, and in them he may assert his rights. (See case of *Morse vs. Streeter*, Codd's U. S. Mining Decisions, p. 127, and the case of *O. D. Lambard, Copp's Land-Owner for March, 1877.*)

Should a charge against an attorney, so grave as the one presented in this case, be clearly established, the Department, to protect its own honor and the interests of citizens, would debar the offender from practice before the executive offices of the Government, but it cannot restore the right of a client thus corruptly sacrificed.

In this case, Roedel *et al.* can be considered only in the light of protestants, hence an appeal from your decision on the merits of the application cannot be entertained. (See cases above cited.)

The papers transmitted with your letter are herewith returned.

Very respectfully,

C. SCHURZ, *Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

Suit commenced by an adverse claimant must be prosecuted with reasonable diligence.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,

Washington, D. C., September 27, 1876.

GENTLEMEN: On the 10th February, 1873, Leonard G. Calkins, Elisha A. Kirk, and



Zadock Kalbaugh filed in your office an application for patent for 1,400 linear feet of the Arctic lode, Griffith mining district, Clear Creek County, Colorado.

The notice was published in the Colorado Miner on the 13th February, 1873, and thereafter for the full period of sixty days.

It is shown by an abstract of title from the office of the county clerk and county recorder of Clear Creek County, Colorado, that the Arctic lode was located by Zadock Kalbaugh and four others, and that record was made of such location on the 1st October, 1869. It is also shown that said applicants have the record title to the whole of said location, viz, 1,400 feet.

It appears that an error was made in the survey of this claim in giving the course and distance between the corner to sections 4 and 5 on north boundary of township 4 south, range 74 west, and corner No. 1 of this claim. With the exception of this bearing from corner No. 1, the survey was accurately made; but as several other bearings were given to established and fixed points, the claim and premises were sufficiently marked and determined.

On the 11th April, 1873, and before the expiration of the sixty days' notice by publication, George T. Clark, G. W. Kassler, E. A. Merriam, D. C. Wilson, E. A. Barnhart, E. S. Streeter, F. G. Saint, and F. W. Cram filed an adverse claim against said application for patent.

The adverse claim was sworn to by E. S. Streeter before Charles R. Fish, a notary public in and for Clear Creek County, and by George T. Clark, Frank W. Cram, and George W. Kassler before J. B. Cass, a notary public in and for Arapahoe County, Colorado.

In their adverse claim they allege that the premises as applied for conflict with and embrace a portion of the F. W. Cram lode.

They also filed a diagram representing the conflict between the two claims.

On the 5th of May, 1873, said adverse claimants commenced proceedings against said applicants in the district court of the second judicial district of Colorado.

It appears by a certificate of the clerk of said court, dated the 27th June, 1876, that "since the commencement of said suit there has been held in said county the following terms of court, viz: special term, July, 1873; regular term, September, 1873; June, 1874; December, 1874; June, 1875; December, 1875; June, 1876; that I do further certify that no trial on the issues in said cause has ever been had in said cause, and that the only orders appearing of record in said cause are orders of continuance, and that said cause is now pending in said court."

The seventh section of the mining act of May 10, 1872, declares that "it shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence proceedings in a court of competent jurisdiction, to determine the question of the right of possession, and prosecute the same with reasonable diligence to final judgment, and a failure to do so shall be a waiver of his adverse claim."

It will be observed that the law not only requires an adverse claimant to commence proceedings in a court of competent jurisdiction, but also to prosecute the same with reasonable diligence to final judgment.

A failure on the part of an adverse claimant to comply with either of these requirements is held to be a waiver of his adverse claim.

In the case under consideration, more than three years have elapsed since said suit was commenced; that one special term and six regular terms of said court have been held, and that no trial of said cause has yet been had, the only orders entered being those of continuance.

In view of these facts, you will call upon said applicants to furnish a certificate of the clerk of said court, showing at whose instance the several continuances were made in said cause.

Should it appear from such certificate that the several continuances were granted at the instance and request of said adverse claimants, you will allow said applicants to make entry of their claims, should no appeal be taken from this decision within sixty days from the date of your notification to all parties in interest.

Be pleased to acknowledge the receipt hereof.

Very respectfully, your obedient servant,

J. A. WILLIAMSON, *Commissioner.*

REGISTER and RECEIVER,  
Central City, Colo.

Publication of notice must be made in the paper published nearest the mine.

DEPARTMENT OF THE INTERIOR,  
Washington, D. C., December 1, 1876.

SIR: I have considered the appeal of J. H. Foley *et al.* from your decision of May 12, 1876, adverse to their claim in the matter of the application for a patent for the Omaha Quartz Mine, Sacramento, Cal.

The protestants state that the point upon which they rely in the appeal "is as to the



sufficiency of the publication" or the failure to comply with the law in the matter of publication of notice.

The notice was published in the Nevada Transcript, a paper published in Nevada City, a town situated about six miles from the mine, and the publication was made by direction of the register. It appears that in Grass Valley, a town situated about two miles from the mine, two papers are published, a daily and a weekly. It is contended that the notice should have appeared in a paper published nearest the claim. You held that the publication was sufficient.

The sixth section of the act of May 10, 1872, provides that the register of the land office "shall publish a notice that such application has been made, for a period of sixty days, in a newspaper to be by him designated as published nearest to said claim."

It would seem that the intention of Congress was plain that the notice should appear in a paper published at a point indicated, and the register is authorized to designate said paper, following the plain instructions of the statute, which would seem to point out his duty. In this case, however, he has exercised his discretion, disregarded the papers published at Grass Valley and selected another.

I see no warrant for the exercise of this discretion. Under the provisions of the statute the public have a right to look to the paper issued nearest the claim as the one in which a notice of application for a patent should appear. If any discretion is allowed a register, where shall it be limited? If he may ignore a paper published two miles from a claim, and designate one published six miles distant, he may designate one published at a much greater distance. This question would not have arisen, had the register performed what I think was clearly his duty, and the instructions of your office should be made so explicit as to allow no opportunity for the question to arise in the future. If two or more papers of repute are published equidistant, or very nearly so, from the claim, the register must designate the one in which the notice shall appear; but in other cases the paper published nearest the claim must be designated, provided the same is a reputable newspaper of general circulation.

In the case under consideration it does not appear that the applicants are in any manner at fault, and to reject their application, when they have, in good faith, complied with the law and the instructions given them by the local officers, would be a hardship.

I cannot, however, recognize the action taken as a strict compliance with the law, and the case is returned to be submitted to the board of confirmation for its action, as your action rejecting the adverse claim of Foley *et al.* is approved for the reasons given. Your decision is modified accordingly, and the papers transmitted with your letter of August 31, 1876, are herewith returned.

Very respectfully,

Z. CHANDLER, *Secretary.*

To the COMMISSIONER OF THE GENERAL LAND OFFICE.

Adverse claims may be sworn to before any person authorized to administer oaths within the land district where the claim is situated.

DEPARTMENT OF THE INTERIOR,  
Washington, D. C., February 17, 1877.

SIR: I have considered the case of the Corning Tunnel, Mining, and Reduction Company *vs.* Wm. G. Pell, Samuel Cochran, and John W. Nicholson, applicants for patent for 1,500 linear feet of the Slide Lode, Gold Hill mining district, Boulder County, Central City, Colorado land district, on appeal from your decision of November 3, 1876, adverse to the Corning Company.

The facts of this case are as follows, to wit: On November 24, 1875, W. G. Pell, Samuel Cochran, and John W. Nicholson filed an application in the local land office for a patent for 1,500 linear feet of the Slide Lode, Gold Hill mining district. Sixty days' notice, by publication in the Weekly Sunshine Courier, from December 4, 1875, to and including February 12, 1876, was also made, and the plat and notice were properly posted on the claim and in the register's office.

A duly certified abstract of title from the records of Boulder County shows that said lode was discovered July 26, located July 30, and recorded July 31, 1875. Applicants also show a compliance with the law, and have record title of said location. The Corning Tunnel, Mining, and Reduction Company, by F. A. Squires, president, filed an adverse claim against said application January 20, 1876, and commenced suit by ejectment to determine the right of possession of the tract in question in the district court of Boulder County on February 7, 1876.

Mr. Squires alleges that the Slide Lode is within the location of the tunnel site of the company which he represents; that said Slide Lode was discovered after the tunnel site, and is a blind lode; that said tunnel site was located in conformity with the mining act of May 10, 1872; that said company have expended a large amount of money; and that their rights are prior and superior to those of the applicants. A copy

of the location notice shows that George C. Corning, A. J. Mackey, James A. Carr, and Daniel A. Robinson located and recorded said tunnel site September 18, 1872. They made a second location of the same July 9, 1873, wherein the tunnel is described as seven feet high, six feet wide, and one hundred and thirty feet in length.

Said company have record title to said tunnel site and location. One of your reasons for rejecting the adverse claim is that said claim was not sworn to within the land district where the mining claims are located. The facts relative to this matter are that the adverse claim was sworn to before A. J. Mackey, deputy clerk of the district court in and for Boulder County, and although there is no testimony showing the exact part of the county where the oath was administered, it is shown that the office and residence of said clerk were in the town of Boulder, in said county, and it is probable that the affidavit was made at that place. Now, the line between the Central City land district and the Denver land district runs through Boulder County, leaving the locus of the town of Boulder in the Denver district, and the mining claims in the Central City district. Section 2335 of the Revised Statutes of the United States provides that "all affidavits required to be made under this chapter may be verified before any officer authorized to administer oaths within the land district where the claims may be situated." I am of the opinion that under this statute an officer authorized to administer oaths within the land district may administer the same without the district, but within the jurisdiction. I do not think the cases referred to in your decision are in point, for the reason that there is a manifest difference between the acts of the Commissioner, who has authority only to administer oaths in California for Nevada, (as in *The Dardanelles Mining Company vs. The California Mining Company* case, *Copp's Mining Decisions*, p. 161.) and the acts of an officer in the State, exercised within his jurisdiction, where that jurisdiction extends within the land district where the claims are located.

Where suit is brought by the adverse claimant, under the seventh section of the act of May 10, 1872, within the time required by law, it is only necessary to pass upon the regularity of the adverse claim, leaving the rights of the parties to be determined by the court.

Your decision is reversed, and the case remanded to your office, to await the judgment and decree of the court before which suit is pending.

The papers transmitted with your letter of February 12, 1877, are herewith returned.

Very respectfully,

Z. CHANDLER, *Secretary*.

To the COMMISSIONER OF THE GENERAL LAND OFFICE.

Protestants have no right of appeal.

DEPARTMENT OF THE INTERIOR,  
Washington, D. C., March 24, 1876.

SIR: I have had under consideration the case of the Boston Quicksilver Mine, mineral entry No. 23, San Francisco, Cal., wherein Mr. William McGarrahan has filed an appeal from your decision of August 21, 1875, denying his right of appeal from your decision of August 14, 1875, holding that the owners of said mine had shown such compliance with law as entitled them to a patent.

While it was laudable in Mr. McGarrahan to make suggestions to your office of what he believed was an attempted fraud upon the Government in the matter of this application for patent, and proper for you to accept and consider such suggestions in an examination of the case, I can hardly conceive that it will be seriously contended that he, not being a party in interest, but standing in the relation of *amicus curiae*, has a status entitling him to an appeal. I am very clearly of the opinion that he has no such right, and therefore affirm your decision to that effect.

With a view of preventing the delay arising from appeals improperly taken, I recommend that in future, whenever an appeal shall be taken which, in your opinion, is unauthorized by law and the practice of this Department, you at once report the same to this office for decision.

The papers of the case transmitted with your letter of September 1, 1875, are herewith returned.

Very respectfully,

Z. CHANDLER, *Secretary*.

To the COMMISSIONER OF THE GENERAL LAND OFFICE.

DEPARTMENT OF THE INTERIOR,  
Washington, D. C., September 27, 1877.

SIR: I have considered the appeal of Messrs. A. G. Riddle and J. E. Padgett, attorneys for the Sprucemont Mining Company of California, from your decision of May 21, 1877, denying to said company the right of appeal from your decision of March 10, 1877, on the ground that said company was a protestant simply against the application of John F. Lewis for a patent of the Juniper mining claim, situate in the county of Elko, in the State of Nevada, and, as a protestant, neither the company nor its attor-

neys had the right to an appeal from your decision, according to the former decision of this Department.

The ground upon which you held that said company was a protestant simply was its failure to file an adverse claim within the time prescribed by section 2325, Revised Statutes, viz, within sixty days after the first publication of the notice by the register and receiver of Mr. Lewis's application for a patent of the tract claimed by him.

The testimony filed in the case shows that the notice was published in accordance with law for the full period of sixty days; and that the adverse claim and protest was not filed so as to be considered of record in the case until after the expiration of that time.

Your decision is, therefore, in accordance with the well-settled rulings of this Department, as was also your refusal to entertain an appeal therefrom.

The appeal of Messrs. Riddle and Padgett is, therefore, dismissed, and the papers transmitted with your letter N, of May 29, are herewith returned.

Very respectfully,

C. SCHURZ, *Secretary.*

To the COMMISSIONER OF THE GENERAL LAND OFFICE.

Patents may issue for town sites upon mineral land and for mining claims within town sites.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,  
Washington, D. C., November 23, 1876.

GENTLEMEN: On the 27th ultimo you were informed that a resurvey would be required of the town site of Butte, Montana, excluding from such resurvey all placer claims and mining ground.

The rule was laid down by my predecessor that placer-mining ground could not be included in a town-site patent, and this rule was followed in my instructions of the 27th ultimo.

From a careful re-examination and consideration of the law regulating the disposal of town sites upon the public domain, I have become convinced that the rule as laid down by my predecessor was erroneous.

The law clearly contemplates that towns will exist in mining localities, and that entries may be made of such town sites.

Section 2386 Revised Statutes, however, provides that "where mineral veins are possessed, which possession is recognized by local authority, and to the extent so possessed and recognized, the title to town lots to be acquired shall be subject to such recognized possession and the necessary use thereof." Section 2392 of the Revised Statutes provides that "no title shall be acquired under the foregoing provisions of this chapter to any mine of gold, silver, cinnabar, or copper, or to any valid mining claim or possession held under existing laws."

As the Government in issuing patents for town sites conveys the premises within the exterior boundaries of the town-site entry only in accordance with the provisions of law, the title to all mines of gold, silver, cinnabar, or copper, and to all valid mining claims or possessions, held under existing laws, which are situated within such exterior boundaries, still remains in the United States after patent has issued for such town site. Title to these mining claims or possessions can only be acquired under the provisions of law regulating the disposal of mineral lands by parties who show compliance with the terms of the mining acts.

Patents issued for town sites in mining regions contain a clause in accordance with the terms of the law providing "that no title shall be acquired under this patent to any mine of gold, silver, cinnabar, or copper, or to any valid mining claim or possession held under existing laws; and provided further, that the grant hereby made is held and declared to be subject to all the conditions, limitations, and restrictions contained in section two thousand three hundred and eighty-six of the Revised Statutes of the United States, so far as the same are applicable thereto."

Under the provisions of law referred to, the patents for town sites containing such clause are held subject to *any valid mining claim or possession*, and a purchase of a lot from the town-site authorities holds the same subject to the same conditions.

In view of the law in the case, I recall my instructions of the 27th ultimo, and now decide that patent may issue for said town site, upon compliance with law, for the entire premises embraced by the survey already reported, which patent will contain the proviso hereinbefore referred to.

Should mine owners within such town-site entry desire to make applications for patents for their claims, they will be permitted to do so upon full compliance with law.

Be pleased to inform all parties in interest, and acknowledge the receipt hereof.

Very respectfully, your obedient servant,

J. A. WILLIAMSON,  
*Commissioner.*

REGISTER and RECEIVER,  
Helena, Mont.

School sections pass to the State of California upon survey thereof, if their mineral character is unknown at that date.

DEPARTMENT OF THE INTERIOR,  
*Washington, D. C., April 4, 1877.*

SIR: I have considered the case of the State of California *vs.* L. J. Poley and Henry Thomas, involving the right to the northeast quarter of southeast quarter of section 36, township 3 south, range 13 east, M. D. M., Stockton, Cal., on appeal from your decision of June 26, 1875.

The State claims under the school grant. Poley and Thomas apply for a patent under the mining act. The township was surveyed in December, 1854, and the patent was filed in the local land office March 14, 1855. The placer-mining claims appear to have been located in the year 1858.

It will thus be seen that the question presented is, whether the State of California has a legal title to the land in sections 16 and 36, where it is ascertained, after the survey and identification of said sections, that the land therein is mineral.

By the sixth section of the act of March 3, 1853, the sections above designated were granted to the State of California for school purposes, and when the lands were surveyed the title of the State attached to the same, and, if there was no legal impediment, became a legal title. (18 Howard, 173.)

After a very elaborate discussion, my predecessor, Mr. Secretary Delano, held that Congress, by the act of 1853, did not intend to grant and did not grant to the State any mineral lands which by survey are shown to be in sections 16 and 36. (Copp's Mining Decisions, p. 109.) Accepting this conclusion as the correct one, the question still remains, did the title to lands in said sections vest in the State, upon survey, if their mineral character was unknown at that time, and the same were regarded by the officers of the Government as ordinary public lands, not reserved or otherwise appropriated, but subject to disposal under the general laws of the United States?

It must be held that it did so vest, unless there was an express prohibition existing by virtue of some law.

It would seem that it was the intention of the framers of the act not to grant any of the mineral lands to the State. Mr. Hall said in the House of Representatives, on the day of its passage, "There are some donations made to the State of California, but they are precisely the same as those made to the other States of the Union; but in the clauses making the donations it is provided that the mineral lands and the lands reserved for other public uses shall be excepted. Mineral lands are reserved in all cases." (Congressional Globe, vol. 26, p. 1038.)

In support of this theory, the twelfth section of the act may be cited. By its provisions 72 sections of land were granted to the State for the use of a seminary of learning, and mineral lands were excepted; but it will be observed that the lands were to be selected by legal subdivisions; and, by an express provision in section 3 of the act, none but township lines were to be surveyed when the lands were mineral; hence the prohibition was well defined and easily followed. The same remarks will apply to the grant made by section 13 of the act, for the purpose of erecting the public buildings of the State.

By the sixth section of the act under consideration, all the public lands in the State of California were declared subject to the pre-emption laws, except "sections 16 and 36, which shall be, and hereby are, granted to the State for the purpose of public schools in each township." \* \* There appear to be no words of limitation or restriction in the clause making the grant. The words are absolute and unqualified; the sections are excepted from the operation of the pre-emption law, together with lands otherwise appropriated or reserved by competent authority, or claimed under a foreign grant, and mineral lands; but I know of no rule of construction of language that would justify an interpretation of the words used in the granting clause that would in effect be a limitation of said grant. This view does not, I think, conflict with that expressed by Secretary Delano; for by section 3 above cited, lands known to be mineral could not legally be surveyed or designated as school lands. In compliance with the doctrine established by the courts, it must, I think, be held that the title vested in the State at the date of survey, when the land was not known to be mineral, or was not treated as such by the Government.

If, following the doctrine of the courts, the grant of school lands takes effect at the date of survey, can the character of the land, subsequently determined, change or affect said title? If it can, for how long a period can such change be effected? If for three years, why not for ten or fifty, or after the title derived from the State has been transmitted through numerous grantees? For lands confessedly non-mineral at the date of survey, may, many years thereafter, be ascertained, through the improvements in mining operations, to be valuable as mineral lands. To maintain such a doctrine, might result in placing in jeopardy the title held by grantees to all the school lands in California, and could only be authorized by the most positive and clearly expressed provisions of law. In my opinion there is nothing in the act which can thus be in-

terpreted. I must therefore hold that the discovery of the mineral character of land in sections 16 and 36, subsequent to survey, does not defeat the title of the State to the same as school land. The case of *Sherman vs. Buick* (45 Cal., 656) is cited by counsel. In this case, the court held that "the title to each sixteenth and thirty-sixth section, upon its being surveyed, vests absolutely in the State." This decision was reversed by the United States Supreme Court at the present term.

After a careful examination of the case, however, I do not think that the question of the title of the State to mineral lands is involved, or that the decision in any way affects that question.

It is not intended to assert that the title to the lands in said sections passes to the State upon the survey under the provisions of the acts of July 26, 1866, and July 9, 1870, said lands at the date of survey being recognized and regarded as mineral.

The views expressed by Secretary Delano, before referred to, will continue to control the Department in the disposal of lands thus designated.

There are other questions presented in the case under consideration; but if the views above expressed are correct, their consideration is not called for.

Your decision is reversed, and the papers transmitted with your letter of September 10, 1875, are herewith returned.

Very respectfully,

C. SCHURZ, *Secretary.*

To the COMMISSIONER OF THE GENERAL LAND OFFICE.

School sections in Colorado do not pass to the State if they are known to contain valuable deposits of coal.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,  
Washington, D. C., March 30, 1876.

GENTLEMEN: With your letter of the 19th instant you transmitted the application of Michael B. Fox and Thomas M. Patterson to enter the southeast quarter of section 16, township 1 south, range 70 west, as coal land.

You refused this application, for the reason that the tract applied for is in a school section.

The question is presented whether lands which fall within sections 16 and 36 pass to the State of Colorado under the act of Congress approved March 3, 1875, (18 Stat., 474,) entitled "An act to enable the people of Colorado to form a constitution and State government, and for the admission of the said State into the Union on an equal footing with the original States," where the same contain valuable deposits of coal.

The 7th section of said act provides "that sections numbered 16 and 36 in every township, and where such sections have been sold or otherwise disposed of by any act of Congress, other land equivalent thereto, in legal subdivisions of not more than one quarter section, and as contiguous as may be, are hereby granted to said State for the support of common schools."

Section 15 of said act provides "that all mineral lands shall be excepted from the operation and grants of this act."

The words "*mineral land*," as they occur in the several acts regulating the disposal of the public domain, are used in contradistinction to the words "*agricultural land*."

That lands containing valuable deposits of coal have been considered and treated as *mineral lands* is evident from the text of the act of July 1, 1864, (13 Stat., 343,) entitled "An act for the disposal of coal lands and of town property in the public domain," viz, "That where any tracts embracing coal beds or coal fields, constituting portions of the public domain, and which as 'mines' are excluded from the pre-emption act of 1841, and which, under past legislation, are not liable to ordinary private entry," &c.

The Revised Statutes of the United States provide for the sale of coal lands under the general term "*mineral lands and mining resources*." (*Vide* title 32, chapter 6, Revised Statutes.)

The Hon. Secretary of the Interior, on the 7th of May, 1875, affirmed the decision of this office in case of *James P. Hogden et al. vs. The State of California*, and held that mineral lands did not pass to the State of California under the act of 3d of March, 1853, entitled "An act to provide for the survey of the public lands in California, the granting of pre-emption rights therein, and for other purposes," (10 Stat., 244,) and that *coal lands are mineral lands*.

It is therefore held that sections 16 and 36 in the several townships do not pass to the State of Colorado under the act of 3d March, 1875, if the same contain valuable deposits of coal.

You will therefore allow said applicant to file upon and enter said tract upon full compliance with the law and instructions, should no appeal be taken from this decision within sixty days from the date of your notification to all parties in interest.

Very respectfully,

J. A. WILLIAMSON, *Commissioner.*

REGISTER and RECEIVER,  
Denver, Colorado.

School sections in Nevada which are mineral in character do not pass to the State.

Supreme Court of the United States.—October term, 1876.

SOLOMON HEYDENFELDT, PLAINTIFF IN ERROR, *vs.* THE DANAY GOLD AND SILVER Mining Company.

In error to the supreme court of the State of Nevada.

Mr. Justice Davis delivered the opinion of the court.

This is an action of ejectment to recover a specific portion of the west half of the southwest quarter of section 16, township 16, range 21 east, in Lyon County, Nevada. The land in controversy is rich in minerals, and was not surveyed by the United States until the year 1867. Prior to the date of the survey, or the approval of it, the defendant's grantors and predecessors in interest had for mining purposes entered upon the land, and claimed and occupied it according to the mining laws and the custom of miners in the locality. This possession and claim of ownership have been continuous and uninterrupted, and the defendant has expended over eighty thousand dollars in the construction of improvements for carrying on the business of mining on the land.

The plaintiff claims title from the state by patent. It is dated the 14th day of July, 1868, and was issued on the assumption that sections sixteen and thirty-six, whether surveyed or unsurveyed, and whether containing minerals or not, were granted to the State for the support of common schools by the seventh section of the Nevada enabling act, approved March 21, 1864, (13 Stat., 32.)

This interpretation of that act is denied by the General Government, and the defendant has a patent of the 2d of March, 1874, from the United States for the land in controversy, issued in conformity with the laws of Congress on the subject of mining. Which is the better title, is the point for decision. It has been the settled policy of the government to promote the development of the mining resources of the country, and as mining is the chief industry in Nevada, the question presented for decision is of great interest to the people of that State.

The seventh section of that act is as follows: "That sections numbered sixteen and thirty-six in every township, and where such sections have been sold or otherwise disposed of by any act of Congress, other lands equivalent thereto, in legal subdivisions of not less than one quarter-section, and as contiguous as may be, shall be and are hereby granted to said State for the support of common schools."

It is true that there are words of present grant in this law, but in construing it we are not to look at any single phrase in it, but to its whole scope, in order to arrive at the intention of the makers of it. "It is better always," says Sharswood, Judge, "to adhere to a plain common sense interpretation of the words of a statute than to apply to them refined and technical rules of grammatical construction." (Gyges's Estate, 65 Pa. State, 312.)

If a literal interpretation of any part of it would operate unjustly or lead to absurd results and be contrary to the evident meaning of the act taken as a whole, it will be rejected. And there is no better way of discovering the true meaning of a law, when there are expressions in it which are rendered ambiguous by their connection with other clauses, than by considering the necessity for it and the causes which induced the legislature to pass it. With these rules as our guide it is not difficult, we think, to give a true construction to the law in controversy.

Congress, at the time, was desirous that the people of the Territory of Nevada should form a state government and come into the Union. The terms on which this admission could be obtained were proposed, and, as was customary in the enabling acts for new States, the particular sections of the public lands to be donated to the State for the use of common schools were specified. These sections had not been surveyed, nor had Congress then made, or authorized to be made, any disposition of the public lands within the Territory of Nevada.

But this condition of things did not stand in the way of Congress making proper provision on the subject. Some provision was necessary in order to place Nevada in this respect on equal footing with States recently admitted. But the people were not interested in getting the identical 16th and 36th sections in every township. Indeed, it could not be known until after survey where these sections would fall, and a grant of quantity put Nevada in as good a condition as other States which had received the benefit of this bounty. A grant operating at once and attaching prior to the surveys by the United States would deprive Congress of the power of disposing of any part of the public domain until there was a segregation by survey of the land granted. In the mean time further improvements would be arrested, and the persons who before the surveys were made had occupied and improved the country would lose their possessions and labor, in case it turned out that they had settled upon the granted lands. Con-



gress was fully advised of the condition of a new community like Nevada, of the evil effects of such legislation upon its prosperity, and of all antecedent legislation upon the subject of the public lands within the bounds of the proposed new State. In the light of this information, and surrounded by these circumstances, Congress made the grant in question. That it is ambiguous is very clear, for the different parts of it cannot be reconciled, if the words used are to receive their usual meaning. *Schulenberg vs. Harriman* (21 Wallace, 44) establishes the rule that "unless there are other clauses in a statute restraining the operation of words of present grant, these must be taken in their natural sense." This is a correct rule, and we do not seek to depart from it, but there are words of qualification in this grant.

And these words restrict the operation of the words of present grant. If their literal meaning be taken, they refer to past transactions; but evidently they were not used in this sense, for there had been no lands in Nevada sold or disposed of by any act of Congress, and why indemnify the State against a loss that could not occur? There could be no loss, and there was no occasion of making provision for substituted lands if the grant took effect absolutely on the admission of the State into the Union, and the title to the lands then vested in the State. Congress cannot be supposed to have intended a vain thing, and yet it is quite certain that the language of the qualification was intended to protect the State against a loss that might happen through the action of Congress in selling or disposing of the public domain. It could not, as we have seen, apply to past sales or dispositions, and to have any effect at all, must be held to apply to the future.

This interpretation, although seemingly contrary to the letter of the statute, is within its reason and spirit. It accords with a wise public policy, gives to Nevada all she had any right to ask for, and acquits Congress of passing a law which in its effects would be unjust to the people of the territory. Besides, no other construction is consistent with the statute as a whole, and this alone answers the evident intention which the makers of it had in view, and this was to grant to the State *in present* a quantity of land equal in amount to the 16th and 36th sections, the grant to take effect when the status of the lands was fixed by survey and they were capable of identification. Congress, however, reserved until this was done the power of disposition, and if in the exercise of this power the whole or any part of a 16th or 36th section had been disposed of, the State was to be compensated by other lands equal in quantity and as near as may be in quality. By this means the State was indemnified against loss, and the people ran no risk of losing the labor of years. While the State suffered no injury, Congress was left free to dispose of the public domain in any way it saw fit, to promote the interests of the people.

It is argued that, conceding the construction given this grant to be correct, this defense cannot be sustained, because the land in controversy was not actually sold by direction of Congress until after this survey. This position ignores a familiar rule in the construction of statutes, that they must be so construed as to admit all parts of them to stand if possible. (*Bouvier's Institutes*, p. 42, sec. 7.)

The language used is, "sold or otherwise disposed of by any act of Congress," and the point made by the plaintiff would reject a part of these words from the statute.

To limit the qualification to the grant in this way would defeat one of the main purposes Congress had in view. Congress knew, as did the whole country, that Nevada was possessed of great mineral wealth, and that mineral lands should be disposed of differently from those which were fit only for agriculture. No method for doing this had then been provided, but Congress said to the people of the Territory, "You shall, if you decide to come into the Union, have for the use of schools a quantity of land equal to two sections in every township, and the identical sections themselves, if on survey no one else has any claim to them, but until this decision is made and the lands surveyed we reserve the right, either to sell them or dispose of them in any other way that commends itself to our judgment." This right of disposition is subject to no limitations, and the wisdom of not surrendering it is apparent. The whole country is interested in the development of its mineral wealth, and to accomplish this object adequate protection was required for those engaged in this business. This protection was furnished by the act of Congress of July 26, 1866, (14 U. S. Stats., p. 251.) which was passed before the land in controversy was surveyed. This act disposes of the mineral lands of the United States to actual occupants and claimants, and provides a method for the acquisition of title from the United States. And these defendants occupied the land prior to the survey and were entitled to purchase, and the patent subsequently obtained from the Government relates back to the time of the original location and entry, and perfects their title.

These views dispose of this case, but there is another ground equally conclusive. Congress, on the 4th of July, 1866, (14 Stat., p. 85,) passed an act concerning lands granted to the State of Nevada, and, among other things, reserved from sale all mineral lands in the State, and authorized the lines of surveys to be changed from rectangular, so as to exclude them. This was, doubtless, intended by Congress as a construction of the grant in this case; but whether that construction be correct or not, and



whatever may be the effect of the grant in its original shape, it was clearly competent for the grantee to accept it in its modified form and agree to any construction put upon it by the grantor. The State, through its legislature, (see act of February 13, 1867,) ratified the construction given to it by Congress, and accepted it with the conditions annexed.

We agree with the supreme court of Nevada that this acceptance "was a recognition by the legislature of the State of the validity of the claim made by the Government of the United States to the mineral lands."

It is objected that the constitution of Nevada inhibited such legislation, but the supreme court of the State, in the case we are reviewing, held that it did not, (10 Nevada Reports, p. 314,) and we think their reasoning on this subject is conclusive.

We see no error in the record, and the judgment is affirmed.

Salt springs and land adjacent are reserved from sale.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,  
Washington, D. C., March 2, 1876.

GENTLEMEN: I have carefully examined the papers and testimony transmitted with your letter of the 1st October, 1875, in case of *C. L. Hall vs. A. T. Litchfield et al.*

The question presented is as to the true character of the following described tracts, viz: The southeast quarter of southeast quarter section 36, township 12 south, range 77 west; the east half of northeast quarter of section 1, township 13 south, range 77 west; and the south half of southwest quarter, and the northwest quarter of southwest quarter of southeast quarter of section 31, township 12 south, range 76 west, Colorado.

The testimony submitted in the case is very voluminous and quite contradictory. The northeast quarter of northeast quarter of section 1, township 13 south, range 77 west, was returned by the surveyor general as saline lands, and the evidence submitted fails to establish the incorrectness of this return.

The township plats of township 13 south, ranges 76 and 77 west, show that a salt spring is situated immediately to the east of the township line between said townships.

By the evidence it appears that on the northwest quarter of section 6, township 13 south, range 76 west, there is situated said salt spring and flowing wells of salt water. It also appears from the evidence that several salt springs are found along a salt creek which flows through the northwest quarter of said section 6 and the south half of the southwest quarter, and the northwest quarter of southwest quarter of section 31, township 12 south, range 76 west.

It is shown by the testimony that said northeast quarter of northeast quarter, section 1, township 13 south, range 76 west, the south half of southwest quarter, and the northwest quarter of southwest quarter of section 31, township 12 south, range 76 west, are of little, if any, use for agricultural purposes, and being saline lands as hereinbefore stated, are not subject to homestead or pre-emption entry. (*Vide* secs. 2258 and 2259, Revised Statutes of the United States.)

The policy of the Government has been uniform since the inauguration of the land system to reserve from sale salt springs.

The act of May 18, 1796, (1 Stat., 466,) requires every surveyor to note in his field-book the true situation of all mines, salt licks and salt springs, and reserves for future disposition by the United States every salt spring which may be discovered, together with the section of one mile square which includes it.

The act of May 10, 1800, (2 Stat., 73,) continued these reservations and authorized sales to be made of the public lands by the register and receiver, excluding the sections reserved by the above mentioned fact.

The act of March 26, 1804, (2 Stat., 277,) providing for the disposal of the public lands in the Indiana Territory, declares that "the several salt springs in the said Territory, together with as many contiguous sections to each as shall be deemed necessary by the President of the United States, shall be reserved for the future disposal of the United States."

It has been the policy of the Government to reserve these salt springs and lands from sale, as is evidenced by the text of the different acts regulating the disposal of the public lands.

The act of April 30, 1802, (2 Stat., 173,) admitting the State of Ohio, granted to the State certain salt springs.

The act of April 18, 1818, (3 Stat., 429,) authorizing the admission of the State of Illinois, grants all the salt springs and the lands reserved for the use of the same to the State.

The act of March 6, 1820, (3 Stat., 545,) authorizing the people of Missouri to form a State government, and for the admission of the State, provides "that all salt springs not exceeding twelve in number, with six sections of land adjoining to each shall be granted to the said State for the use of said State. \* \* \* Provided that no salt

spring, the right whereof now is or hereafter shall be confirmed or adjudged to any individual or individuals, shall by this section be granted to the said State."

The same provision is made in the acts providing for the admission of the following named States, as was provided in case of Missouri, viz:

Arkansas, (5 Stat., 58;) Michigan, (5 Stat., 59;) Florida, (5 Stat., 789;) Iowa, (5 Stat., 789;) Wisconsin, (9 Stat., 58;) Minnesota, (11 Stat., 166;) Oregon, (11 Stat., 383;) Kansas, (11 Stat., 269;) Nebraska, (13 Stat., 47.)

The act approved March 3, 1875, (17 Stat., 474,) enabling the people of Colorado to form a State government, and for the admission of the State into the Union, has the same provisions in regard to salt springs as those contained in the Missouri act.

The Supreme Court of the United States in the case of *Morton vs. Nebraska*, (21 Wall., 660,) construed the *proviso* in the grant to Nebraska of salt lands. This proviso reads the same in the Nebraska and Colorado acts, viz: "Provided that no salt spring or lands the right whereof is now vested in any individual or individuals, or which hereafter shall be confirmed or adjudged to any individual or individuals, shall by this act be granted to said State."

The State of Nebraska is within the limits of the Louisiana purchase. That part of Colorado which embraces the salt springs in controversy lies within the boundaries of the territory ceded by Mexico to the United States. In said decision it was held that "the real purpose of the proviso is to be found in the situation of the country embraced in the Louisiana purchase. The treaty of Paris of April 30, 1803, by which the "province of Louisiana" was acquired, stipulated for the protection of private property. \*

\* \* In this condition of things Congress thought proper in granting the salt springs to the State to say that no salt springs *the right whereof now is* or shall be confirmed or adjudged to any individual, shall pass under the grant to the State. Whether this legislation was necessary to save salt springs claimed under the French treaty it is not important to determine, but manifestly it had this purpose in view and nothing more. It could not refer to salt springs not thus claimed, because all entry upon them was unlawful on account of previous reservation. \* \* \* This proviso can have little significance in the enabling act of Nebraska, or indeed in many other enabling acts, but Congress doubtless thought proper to introduce it out of the superabundance of caution; as there could be no certainty that in purchased or conquered territory, however remote from settlement, there might not be private claims protected by treaty stipulation to which it would be applicable. It cannot be invoked, however, for the protection of these plaintiffs. When a vested right is spoken of in a statute, it means a right lawfully vested, and this excludes the locations in question, for they were made on lands reserved from sale or entry."

The court also held that "the purpose Congress had in view is to be found in the unbroken line of policy in reference to saline reservations from 1796 to the date of this act. To perpetuate this policy and apply it equally to all the lands of the three Territories, (Kansas, Nebraska, and New Mexico,) was the controlling consideration for the incorporation of the section, (4th section, July 22, 1854, 10 Stat., 308;) and although the words of the section are loose and general, their meaning is plain enough when taken in connection with the previous legislation on the subject of salines. It cannot be supposed without an express declaration to that effect, that Congress intended to permit the sale of salines in Territories soon to be organized into States, and thus subvert a long established policy, by which it had been governed in similar cases.

In the case under consideration it is not shown that any valuable deposit of salt is found upon the land in controversy, but said lands appear to be valuable only on account of said salt springs.

After a careful consideration of all the facts and the law in the case, I am clearly of the opinion that this office has no authority to dispose of said tracts, either as agricultural or mineral lands; but that said salt springs, "with six sections adjoining and as contiguous as may be to each" should be reserved, in order that the State of Colorado may be placed on an equal footing with other States in the matter of salt springs reservations.

The filing, therefore, made by C. L. Hall and A. T. Litchfield et al., are both rejected.

You will inform all parties in interest and acknowledge the receipt hereof, allowing sixty days for appeal.

Very respectfully, your obedient servant,

L. K. LIPPINCOTT,  
Acting Commissioner.

REGISTER and RECEIVER,  
Fair Play, Col.

DEPARTMENT OF THE INTERIOR,  
Washington, D. C., February 13, 1877.

SIR: I have considered the case of C. L. Hall vs. A. T. Litchfield et al., involving the right to enter the southeast quarter of southeast quarter section 36, township 12 south

range 77 west, the east half of northeast quarter of section 1, township 13 south, range 77 west, the south half of southwest quarter and the northwest quarter of southwest quarter of southeast quarter of section 31, township 12 south, range 76 west, Fair Play, Colorado.

You reject the application, and hold that the salt spring, situated on section 6, township 13 south, range 76 west, "with the six sections adjoining and as contiguous as may be," should be reserved for the use of the State of Colorado.

The reasons for your decisions are given at length, and are sufficient to justify the conclusions reached by you.

In addition to the reasons given, it may be proper to state that the spring in question is situated in that portion of Colorado included within the limits of the Louisiana purchase of 1803.

By the tenth section of the act of March 3, 1811, salt springs, and the lands contiguous thereto, were, by the direction of the President of the United States, to be reserved for future disposal of the States.

This policy of reservation has uniformly and consistently been applied by the Government to said Territory, as well as the other territory of the United States.

The applicants are in no way protected by the proviso in section 11 of the act of March 3, 1875, providing for the admission of Colorado into the Union, viz: "That no salt spring or lands, the right whereof is now vested in any individual or individuals, or which hereafter shall be confirmed or adjudged to any individual or individuals, shall by this act be granted to said State."

No vested rights could be obtained by any individuals under the laws for the disposal of the public lands. The rights to be protected were those recognized by treaty stipulations, *Morton vs. Nebraska*, (21 Wall., 660.)

Your decision is affirmed, and the papers transmitted with your letter of June 21, 1876, are herewith returned.

Very respectfully,

Z. CHANDLER, *Secretary*.

To the COMMISSIONER OF THE GENERAL LAND OFFICE.

#### COAL LANDS.

By the provisions of the Revised Statutes, sections 2347 to 2352, inclusive, no person who has in his individual capacity or as a member of an association taken the benefit of said section can enter or hold other lands thereunder.

If an association of persons enters a less number of acres of coal land than they might have done under the law, they will not be entitled to a second entry.

Where parties have located or filed upon coal lands they may transfer their rights in the premises to persons duly qualified under the law to enter and hold coal land, but no assignment to a party who is not qualified under the law to hold and enter such lands is recognized.

Coal lands are considered *mineral* lands, and are subject to entry with cash only.

DEPARTMENT OF THE INTERIOR,

*Washington, September 22, 1877.*

SIR: I have considered the case of Robert Strowl, coal land applicant, on appeal from your decision of January 31, 1877, refusing to allow him to make part payment for the southeast quarter section 4, township 18 north, range 6 east, Olympia, Washington Territory, with certificate of deposit for the survey of said township.

You held that the certificates of deposit authorized by section 2403 of the Revised Statutes to go in part payment for the lands authorized to be surveyed by section 2401, were receivable for agricultural lands, but not for coal lands, because the last named section says in express terms that *mineral* lands shall not be surveyed.

As coal lands have uniformly been treated by Congress, and by this Department, as mineral lands, I agree with your conclusion that section 2401 does not authorize them to be surveyed, and as a consequence section 2403 does not authorize the certificate of deposit to be received in payment.

Your decision is affirmed, and the papers transmitted with your letter of June 5, 1877, are herewith returned.

Very respectfully,

C. SCHURZ, *Secretary*.

To the COMMISSIONER OF THE GENERAL LAND OFFICE.

## ABANDONMENT AND RELOCATION.

Section 2324 of the Revised Statutes of the United States requires that "on each claim located after the tenth day of May, eighteen hundred and seventy-two, and until a patent has been issued therefor, not less than one hundred dollars' worth of labor shall be performed or improvements made during each year. On all claims located prior to the tenth day of May, eighteen hundred and seventy-two, ten dollars' worth of labor shall be performed or improvements made by the tenth day of June, eighteen hundred and seventy-four, and each year thereafter, for each one hundred feet in length along the vein, until a patent has been issued therefor; but where such claims are held in common, such expenditure may be made upon any one claim; and upon a failure to comply with these conditions, the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made, provided that the original locators, their heirs, assigns, or legal representatives, have not resumed work upon the claim after failure and before such location. Upon the failure of any one of several co-owners to contribute his proportion of the expenditures required hereby, the co-owners who have performed the labor or made the improvements may, at the expiration of the year, give such delinquent co-owner personal notice in writing, or notice by publication in the newspaper published nearest the claim, for at least once a week for ninety days, and if at the expiration of ninety days after such notice in writing or by publication such delinquent should fail or refuse to contribute his proportion of the expenditure required by this section, his interest in the claim shall become the property of his co-owners who have made the required expenditures."

The provisions of the Revised Statutes have been amended in regard to claims located prior to May 10, 1872, by which the time for the first annual expenditure upon this class of claims was extended to January 1, 1875.

On claims located prior to May 10, 1872, the second annual expenditure should have been made prior to the 1st January, 1876.

The first annual expenditure upon claims located since the 10th of May, 1872, within one year from the date of discovery.

The first annual expenditure holds the claim, if the other provisions of law are complied with, for the period of one year from the date of discovery. The second year commences immediately upon the expiration of the first, and during that year—at any time during the year—the second annual expenditure may be made.

Where a party proceeds against his co-owners under said section, he should file, with his application for patent, a copy of the original notice of location, an abstract of all conveyances made of the claim, a copy of the notice published to delinquent co-owners—which notice should embrace the names of all persons having record title to the claim who have failed to contribute their proportion of the required expenditures—to which must be attached the affidavit of the publisher of the paper in which the notice was inserted that the attached notice was published for ninety consecutive days, giving dates; the affidavit of the claimant or claimants who have made the required expenditures, corroborated by the sworn statement of two or more disinterested witnesses, showing the character and extent of the improvements made upon the claim, and the time when such improvements were made.

There must also be filed the sworn statement of the claimant or claimants who had made the required expenditures as to whether or not either

of the parties whose names appear in such published notice contributed his proportion of the required expenditure, either during the ninety days' notice by publication or the succeeding ninety days.

Where parties make a relocation of a mine *as abandoned*, full and positive evidence must be submitted that the premises in question were in reality abandoned by reason of non-compliance with the law.

# OPERATIONS UNDER THE MINING LAWS DURING PAST FISCAL YEAR.

Mineral entries made from July 1, 1876, to June 30, 1877.....	565
Patents issued .....	514
Mineral contests received.....	256
Letters received .....	1,581
Letters written .....	2,497
Covering pages in letter record .....	1,823
Covering pages in patent record.....	3,407

## List of mining claims approved and patented during the fiscal year ending June 30, 1877.

Name of mine.	Mining district.	Township.	Range.
<b>ARIZONA.</b>			
<i>Mohave County.</i>			
Keystone mine .....	Wallapai .....	23 N.	18 W.
<i>Pima County.</i>			
Montezuma mine and mill site.....	Papago .....	0	0
Guajolote mine .....	.....	0	0
San Antonio mine and mill site .....	.....	0	0
Empire mine and mill site .....	.....	0	0
El Cautivo mine .....	.....	0	0
<i>Yavapai County.</i>			
Oriental mine .....	Copper Mountain .....	0	0
Regulus mine .....	do .....	0	0
Little Annie mine .....	do .....	0	0
Seven Thirty mine .....	do .....	0	0
Liverpool mine .....	do .....	0	0
Clay mine .....	do .....	0	0
Little Giant mine .....	do .....	0	0
Thompson mine .....	do .....	0	0
First north extension of the Metcalf mine.....	do .....	0	0
White Hawk mine .....	do .....	0	0
Oriental mine .....	Peck .....	0	0
<b>CALIFORNIA.</b>			
<i>Alpine County.</i>			
Flint Silver mine .....	Monitor .....	9&10 N.	21 E.
Number One and Number Two quartz mine and mill site .....	Sutter Creek .....	6 N.	11 E.
Jasper Babcock <i>et al.</i> placer .....	Vulcano .....	7 N.	12 E.
<i>Calaveras County.</i>			
Lancha Plans and Poverty Bar Water Company and Richard Lipkeman placer.....	Poverty Bar .....	4 N.	10 W.
Philip Foley gravel mine .....	Mountain Ranch .....	5 N.	13 E.
Rio Vista Mining Company placer .....	Robinson Ferry .....	2 N.	13 E.
Bartola quartz mine .....	West Point .....	6 N.	13 E.
Antonio Spolula placer .....	Douglas Flat .....	3 N.	14 E.
John Kimball <i>et al.</i> placer .....	do .....	3 N.	14 E.
Giovani Canepa placer .....	do .....	3 N.	14 E.
<i>Del Norte County.</i>			
Leonidas B. Grider <i>et al.</i> placer .....	.....	45 N.	13 W.
T. J. Jones, jr. and H. O. Jones placer .....	.....	45 N.	13 W.
Moses H. Ferguson and Job Frazier placer .....	.....	45&46 N.	13 W.
William B. Reeve <i>et al.</i> placer .....	.....	46 N.	13 W.
S. S. Richardson <i>et al.</i> placer .....	.....	46 N.	13 W.
William B. Reeve <i>et al.</i> placer .....	.....	46 N.	13 W.
William B. Reeve <i>et al.</i> placer .....	.....	46 N.	13 W.
Del Norte Mining Company placer .....	.....	46 N.	13 W.
James Camp placer .....	.....	47 N.	14 W.

*List of mining claims, &c.—Continued.*

Name of mine.	Mining district.	Town-ship.	Range.
<i>El Dorado County.</i>			
Rinaldo Felippina <i>et al.</i> placer.....	Garden Valley.....	2 N.	10 E.
Church Union quartz mine.....	Mud Springs.....	9 N.	10 E.
Poverty Point quartz mine.....	Placerville.....	11 N.	10 E.
Thomas Hardie placer.....	Webber Hill.....	10 N.	11 E.
Thomas Shea and Samuel Martin placer.....	Smith's Flat.....	10 N.	11 E.
George W. Barlow <i>et al.</i> placer.....	White Rock.....	11 N.	11 E.
Anton Bentlar and Thomas Potts placer.....	do.....	11 N.	11 E.
Mount Pleasant quartz mine.....	Grizzly Flat.....	9 N.	13 E.
<i>Fresno County.</i>			
Cerro Bonito No. 1 quicksilver mine and mill site.....	Cerro Bonito.....	16 S.	10 E.
Cerro Bonito No. 2 quicksilver mine and mill site.....	do.....	16 S.	10 E.
Cerro Bonito No. 3 quicksilver mine and mill site.....	do.....	15 S.	10 E.
Cerro Bonito No. 4 quicksilver mine and mill site.....	do.....	15 S.	10 E.
Cerro Bonito No. 5 quicksilver mine and mill site.....	do.....	15 S.	10 E.
Cerro Bonito No. 6 quicksilver mine and mill site.....	do.....	15 S.	10 E.
Cerro Bonito No. 7 quicksilver mine and mill site.....	do.....	16 S.	10 E.
Cerro Bonito No. 8 quicksilver mine and mill site.....	do.....	16 S.	10 E.
<i>Inyo County.</i>			
Green-Eyed Monster lode.....	Inyo.....	13 S.	35 E.
Ygnacio silver quartz mine.....	Cerro Gordo.....	16 S.	38 E.
Hudson River silver mine.....	Panamint.....	21 S.	45 E.
Hemlock mine.....	do.....	21 S.	45 E.
<i>Lake County.</i>			
Eagle quicksilver mine and mill site.....	Lake.....	10 N.	8 W.
<i>Mariposa County.</i>			
Filiceana quartz mine and mill site.....	Mariposa.....	4 S.	19 E.
<i>Mono County.</i>			
Bullion mine.....	Bodie.....	0	0
<i>Napa County.</i>			
Maud quicksilver mine and mill site.....	Lake.....	10 N.	8 W.
Saint George quicksilver mine and mill site.....	do.....	10 N.	8 W.
Golden Gate quicksilver mine and mill site.....	do.....	10 N.	8 W.
<i>Nevada County.</i>			
Enreka Consolidated copper mine.....	Empire Copper.....	15 N.	6 E.
Deer Creek Mining Company's placer.....	Mooney Flat.....	16 N.	6 E.
Omaha quartz mine.....	Grass Valley.....	15 N.	8 E.
Allison Ranch quartz mine.....	do.....	15 N.	8 E.
Franklin quartz mine.....	do.....	15 N.	8 E.
Pennsylvania quartz mine.....	Nevada.....	16 N.	8 E.
Pennsylvania Gold Mining Company's placer.....	do.....	16 N.	8 E.
John Stidger <i>et al.</i> placer.....	Banker Hill.....	17 N.	8 E.
Marks Zellerback placer.....	Columbia Hill.....	17 N.	9 E.
Marks Zellerback placer.....	Bloomfield.....	17 N.	9 E.
William F. Cummings placer.....	Chimney Hill and Columbia Hill.....	17 N.	9 E.
Benjamin E. Reasoner <i>et al.</i> placer.....	Relief Hill.....	17 N.	10 E.
Republic quartz mine.....	Eureka.....	18 N.	11 E.
<i>Tuolumne County.</i>			
Sweeney quartz mine and mill site.....	Tuolumne.....	1 N.	14 E.
McCann quartz mine.....	do.....	1 N.	14 E.
Grey Eagle quartz mine and mill site.....	do.....	1 N.	14 E.
Clio quartz mine and mill site.....	do.....	1 N.	15 E.
Uncle Sam quartz mine and mill site.....	do.....	2 N.	16 E.
<i>Placer County.</i>			
Kirkland quartz mine and mill site.....	Ophir.....	12 N.	8 E.
Ophir copper, silver, and gold mine.....	do.....	12 N.	8 E.
Martin Marts placer.....	Spring Garden.....	13 N.	10 E.
Thomas Campbell placer.....	Brushy.....	14 N.	10 E.
William Borland <i>et al.</i> placer.....	do.....	14 N.	10 E.
S. L. Irish and Joseph Byrne placer.....	Wisconsin Hill.....	15 N.	10 E.
<i>Plumas County.</i>			
Jennie quartz mine.....	Granite Basin.....	23 N.	6 E.
Hopper Extension quartz mine.....	do.....	22 N.	11 E.
Mammoth quartz mine.....	Jamison.....	22 N.	11 E.
<i>Sacramento County.</i>			
John Long <i>et al.</i> placer.....	Live Oak.....	7 N.	8 E.
Charles O. Winegar <i>et al.</i> placer.....	Michigan Bar.....	7 N.	8 E.
<i>San Bernardino County.</i>			
Ramona gold quartz mine.....	Holcomb Valley.....	3 N.	1 E.
Jesus Redondo quartz mine.....	do.....	3 N.	1 E.



## List of mining claims, &amp;c.—Continued.

Name of mine.	Mining district.	Township.	Range.
<i>San Bernardino County—Continued.</i>			
Green Lead quartz mine and mill site.....	Holcomb Valley .....	3 N.	1 W.
Morongo silver mine and mill site .....	do .....	2 N.	2 E.
<i>Shasta County.</i>			
Donkey copper mine .....	North Cow Creek .....	33 N.	2 W.
Potosi quartz mine and mill site .....	Muletown .....	31 N.	6 W.
<i>Sierra County.</i>			
Highland Mary Mining Company's placer .....	Wahoo .....	21 N.	9 E.
Buttes Union quartz mine .....	Sierra .....	20 N.	12 E.
Ariel quartz mine .....	do .....	20 N.	12 E.
<i>Siskiyou County.</i>			
Charles M. Bailey placer .....	.....	46 N.	12 W.
William H. Wood placer .....	.....	46 N.	12 W.
Charles M. Bailey and William Wood placer .....	.....	46 N.	12 W.
Charles M. Bailey placer .....	.....	46 N.	12 W.
<i>Stanislaus County.</i>			
François Pache and John Evens placer .....	Patricksville .....	3 S.	14 E.
<i>Sonoma County.</i>			
Rattlesnake and East Extension Rattlesnake quicksilver mines and mill sites, and West Extension Rattlesnake quicksilver mine .....	Cinnabar .....	11 N.	8 W.
Great Eastern quicksilver mine .....	Guerneville .....	8 N.	10 W.
COLORADO.			
<i>Boulder County.</i>			
Sylvester Doughty placer .....	Boulder .....	1 N.	71 W.
Thomas J. Graham placer .....	do .....	1 N.	71 W.
George W. Horton mill site .....	do .....	1 N.	71 W.
Ingram lode .....	Gold Hill .....	1 N.	71 W.
Wynadotte lode .....	do .....	1 N.	71 W.
Grand Duke lode .....	do .....	1 N.	71 W.
Mineral Point lode .....	do .....	1 N.	71 W.
White Crow lode .....	do .....	1 N.	71 W.
Tillie Butzel lode .....	do .....	1 N.	71 W.
Dead Medicine lode .....	do .....	1 N.	71 W.
Baxter lode and mill site .....	do .....	1 N.	71 W.
Miners' Hope lode .....	do .....	1 N.	71 W.
Antioch lode .....	Sugar Loaf .....	1 N.	71 W.
La Plaisance lode .....	do .....	1 N.	71 W.
Ivers Phillips placer .....	do .....	1 N.	71 W.
Frederick L. Higbee placer .....	Central .....	3 S.	71 W.
Archimedes lode .....	Gold Hill .....	1 N.	72 W.
Columbus lode .....	do .....	1 N.	72 W.
Savannah mine .....	do .....	1 N.	72 W.
Repeater lode .....	do .....	1 N.	72 W.
Oro Cache lode .....	do .....	1 N.	72 W.
Keystone State lode .....	do .....	1 N.	72 W.
George C. Corning <i>et al.</i> mill site .....	do .....	1 N.	72 W.
Grange lode and mill site .....	do .....	1 N.	72 W.
Sakhrat lode .....	Sugar Loaf .....	1 N.	72 W.
Ivers Phillips and Gardner P. Wood mill site .....	do .....	1 N.	72 W.
East Columbia lode .....	Ward .....	1 N.	73 W.
Washington Avenue lode .....	do .....	1 N.	73 W.
Boston lode and mill site .....	do .....	1 N.	73 W.
New Market lode .....	do .....	1 N.	73 W.
Virginia lode and mill site .....	Grand Island .....	1 S.	73 W.
I X L lode .....	do .....	1 S.	73 W.
Orlinton lode .....	do .....	1 S.	73 W.
Silver Brick lode .....	do .....	1 S.	73 W.
Staten Island lode .....	do .....	1 S.	73 W.
Kalamazoo lode .....	do .....	1 S.	73 W.
Promise lode .....	do .....	1 S.	73 W.
Lost lode .....	do .....	1 S.	73 W.
<i>Clear Creek County.</i>			
Patten lode .....	Idaho .....	3 S.	73 W.
W. M. R. lode .....	Iowa .....	3 S.	73 W.
Ohio lode .....	Montana .....	3 S.	73 W.
Wood lode .....	Russell .....	3 S.	73 W.
Anoka County lode .....	Spanish Bar .....	3 S.	73 W.
Oldburg lode .....	Trail Creek .....	3 S.	73 W.
Freeland lode .....	do .....	3 S.	73 W.
Black Earth lode .....	do .....	3 S.	73 W.
Williams lode .....	Virginia .....	3 S.	73 W.
Cecil lode .....	Cascade .....	4 S.	73 W.



*List of mining claims, &c.—Continued.*

Name of mine.	Mining district.	Township.	Range.
<i>Clear Creek County—Continued.</i>			
Golden Belt lode.....	Downieville.....	3 S.	74 W.
Comstock lode.....	do.....	3 S.	74 W.
French lode.....	Mill Creek.....	3 S.	74 W.
Wall-street lode.....	Montana.....	3 S.	74 W.
Charles B. Kountze mill site.....	Upper Union.....	3 S.	74 W.
David J. Ball placer.....	do.....	3 S.	74 W.
Rosencrans lode.....	do.....	3 S.	74 W.
George Law silver mine.....	Argentine.....	4 S.	74 W.
Borden lode.....	Cascade.....	4 S.	74 W.
Seventy-six lode.....	do.....	4 S.	74 W.
Bald Eagle lode.....	do.....	4 S.	74 W.
Twin lode.....	do.....	4 S.	74 W.
Reynolds lode.....	Griffith.....	4 S.	74 W.
Magnamora lode.....	do.....	4 S.	74 W.
Everett lode.....	do.....	4 S.	74 W.
Argentine silver lode.....	do.....	4 S.	74 W.
Silver lode.....	do.....	4 S.	74 W.
Winslow lode and mill site.....	do.....	4 S.	74 W.
Griffith lode.....	do.....	4 S.	74 W.
Mills County lode.....	do.....	4 S.	74 W.
F. H. Layden lode.....	do.....	4 S.	74 W.
Clear Creek Mining and Improvement Company's mill site.....	do.....	4 S.	74 W.
Weich Discovery lode.....	do.....	4 S.	74 W.
East Victor lode.....	do.....	4 S.	74 W.
Junction lode.....	do.....	4 S.	74 W.
Sub-Treasury lode.....	do.....	4 S.	74 W.
Morning Star lode.....	do.....	4 S.	74 W.
Port Jarvis lode.....	do.....	4 S.	74 W.
Pulaski lode.....	do.....	4 S.	74 W.
Griffith lode.....	do.....	4 S.	74 W.
Saco lode.....	do.....	4 S.	74 W.
Seven-thirty lode.....	Griffith and Queens.....	4 S.	74 W.
Fred Rogers lode.....	Upper Union.....	4 S.	74 W.
Gilteneer lode.....	do.....	4 S.	74 W.
Silver Glance lode.....	do.....	4 S.	74 W.
Fulton Silver lode.....	Argentine.....	4 S.	75 W.
Ruby lode.....	Daily.....	4 S.	75 W.
Frostburg lode.....	Griffith.....	4 S.	75 W.
George Teal's mill site.....	do.....	4 S.	75 W.
Burleigh Mining Company's mill site.....	do.....	4 S.	75 W.
A. T. Stewart lode.....	do.....	4 S.	75 W.
Josephine lode.....	do.....	4 S.	75 W.
George Teal's mill site.....	Griffith or Queens.....	4 S.	75 W.
Diamond lode and mill site.....	Griffith or Argentine.....	4 S.	75 W.
John Brown lode.....	Queens.....	4 S.	75 W.
Silver Leaf lode.....	do.....	4 S.	75 W.
Colorado Territory National Silver Mining Company of Baltimore City mill site.....	do.....	4 S.	75 W.
Dead Broke lode.....	do.....	4 S.	75 W.
Fountain lode.....	do.....	4 S.	75 W.
Colorado Territory National Silver Mining Company of Baltimore City mill site.....	do.....	4 S.	75 W.
Silver-Cloud lode.....	Upper Union.....	4 S.	75 W.
Davis lode.....	Argentine.....	0	0
Brune lode.....	do.....	0	0
Colfax lode.....	Daily.....	0	0
<i>Fremont County.</i>			
Humboldt lode.....	Hardscrable.....	22 S.	71 W.
Tennessee lode.....	do.....	22 S.	71 W.
Virginia lode.....	do.....	22 S.	71 W.
<i>Gilpin County.</i>			
Senator lode.....	Gregory Lode.....	3 S.	72 W.
Merchant lode.....	do.....	3 S.	72 W.
Gregory Extension lode.....	do.....	3 S.	72 W.
Bobtail lode.....	do.....	3 S.	72 W.
Gregory Extension lode.....	do.....	3 S.	72 W.
Alma lode.....	Lake and Pleasant Valley.....	3 S.	72 W.
Lone Star lode.....	Phoenix.....	1 S.	73 W.
Perigo lode.....	Independent.....	2 S.	73 W.
Homer lode.....	Central City.....	3 S.	73 W.
Winnebago lode.....	do.....	3 S.	73 W.
Coaley lode.....	Enterprise.....	3 S.	73 W.
Gunnell lode.....	Eureka.....	3 S.	73 W.
Mammoth lode.....	Gregory.....	3 S.	73 W.
Smith lode.....	do.....	3 S.	73 W.
Etna lode.....	do.....	3 S.	73 W.

## List of mining claims, &amp;c.—Continued.

Name of mine.	Mining district.	Town-ship.	Range.
<i>Gilpin County—Continued.</i>			
Gregory lode.....	Gregory.....	3 S.	73 W.
Bates lode.....	do.....	3 S.	73 W.
Pratt lode.....	Illinois Central.....	3 S.	73 W.
California lode.....	Nevada.....	3 S.	73 W.
Belcher lode.....	do.....	3 S.	73 W.
Dyke lode and mill site.....	do.....	3 S.	73 W.
Alger lode.....	do.....	3 S.	73 W.
Burroughs lode.....	do.....	3 S.	73 W.
Aduddell lode.....	Pleasant Valley.....	3 S.	73 W.
Col. Fry lode.....	do.....	3 S.	73 W.
Tucker lode and mill site.....	Quartz Valley.....	3 S.	73 W.
Rockford lode.....	Russell.....	3 S.	73 W.
Cataract lode.....	do.....	3 S.	73 W.
Haseltine lode.....	do.....	3 S.	73 W.
Pendleton lode and mill site.....	do.....	3 S.	73 W.
<i>Hinsdale County.</i>			
Samuel Wade <i>et al.</i> placer.....	Lake.....	0	0
Enos T. Hotchkiss <i>et al.</i> placer.....	do.....	0	0
Joel N. Angier <i>et al.</i> placer.....	do.....	0	0
Frank C. Garbutt and James W. Abbott placer.....	do.....	0	0
<i>Lake County.</i>			
Stone Lode.....	California.....	0	0
Lewis Hayden placer.....	do.....	0	0
<i>La Plata County.</i>			
Highland Mary Lode and mill site.....	Animas.....	0	0
Robert Bruce Mine.....	do.....	0	0
Pride of the West Lode.....	do.....	0	0
<i>Park County.</i>			
Heirs of Frederick A. Clark, deceased, placer.....	Fair Play.....	9 S.	77 W.
Fair Play Gold Mining Company's placer.....	do.....	9 S.	77 W.
Mary M. Clark, placer.....	Fair Play or Snow Storm.....	9 S.	77 W.
Fair Play Gold Mining Company's placer.....	Fair Play.....	10 S.	77 W.
Nova Zembla lode.....	Consolidated Montgomery.....	8 S.	78 W.
Ivanhoe lode.....	do.....	8 S.	78 W.
Parnside quartz mine.....	do.....	8 S.	78 W.
Buffalo Head lode.....	do.....	8 S.	78 W.
Rising Sun lode.....	do.....	8 S.	78 W.
Sweet Home lode.....	Buckskin Joe.....	8 S.	78 W.
William H. Grose <i>et al.</i> placer.....	do.....	9 S.	78 W.
Dodge Union No. 4, Dodge Union No. 5, and Clearer lodes.....	do.....	9 S.	78 W.
Security lode.....	Consolidated Montgomery.....	9 S.	78 W.
Eagle lode.....	Montgomery.....	0	0
Guinea Pig lode.....	Buckskin.....	0	0
Snow Bird lode.....	do.....	0	0
<i>Rio Grande County.</i>			
Pear J. Peterson <i>et al.</i> placer.....	Summit.....	0	0
Little Annie lode.....	do.....	0	0
Ferdinand H. Brandt <i>et al.</i> placer.....	do.....	0	0
Del Norte lode.....	do.....	0	0
Margaretta lode.....	do.....	0	0
<i>San Juan County.</i>			
Saxon lode.....	Uncompahgre.....	0	0
Pl-In Streak lode.....	Eureka.....	0	0
William M. Nichols lode.....	Animas.....	0	0
<i>Summit County.</i>			
Lone Man lode.....	Peru.....	5 S.	75 W.
Tenth Legion lode.....	do.....	5 S.	75 W.
Lorain lode.....	do.....	5 S.	75 W.
Tariff lode.....	do.....	5 S.	75 W.
Silver Falls lode.....	do.....	5 S.	75 W.
Mountaineer lode.....	do.....	5 S.	75 W.
Whale lode.....	do.....	5 S.	75 W.
Flagstaff lode.....	do.....	5 S.	75 W.
National Treasury lode.....	do.....	5 S.	75 W.
Savage lode.....	do.....	5 S.	75 W.
Peruvian lode.....	do.....	5 S.	75 W.
Tunnel lode No. 5.....	Snake River.....	5 S.	76 W.
John H. Yonley's mill site.....	do.....	5 S.	76 W.
John H. Yonley's mill site.....	do.....	5 S.	76 W.
Waterloo lode.....	Montezuma.....	5 S.	76 W.
Blanche lode.....	Snake River.....	6 S.	76 W.
Philena R. Smith placer.....	Avalanche.....	0	0

## List of mining claims, &amp;c.—Continued.

Name of mine.	Mining district.	Township.	Range.
IDAHO.			
Alturas County.			
Atlantic mine and mill site .....	Middle Boise .....	0	0
KANSAS.			
Mitchell County.			
Cawker City Salt Mining Company's placer .....		6 S.	10 W.
MONTANA.			
Beaver Head County.			
Brownelle lode .....	Montana .....	6 S.	10 W.
Stapleton lode and mill site .....	do .....	6 S.	10 & 11 W.
Grey Jockey lode and mill site .....	Vipond .....	1 S.	11 W.
Mewonitoc lode .....	do .....	1 S.	11 W.
Forrest lode .....	do .....	1 S.	11 W.
Trapper lode .....	Bryant .....	3 S.	11 W.
Moffet and Maynard lode .....	do .....	3 S.	11 W.
Minnie Gaffney lode .....	do .....	3 S.	11 W.
True Fis-ure lode .....	do .....	3 S.	11 W.
Avon lode .....	do .....	3 S.	11 W.
Cleve lode and mill site .....	do .....	3 S.	11 W.
Ariadne and Cleopatra lode .....	do .....	3 S.	11 W.
Atlantua, Alta, and Hecla lodes .....	do .....	3 S.	11 W.
Golden Leaf lode .....	Bannack .....	8 S.	11 W.
Tuscarora lode .....	Montana .....	0	0
Deer Lodge County.			
James M. Wheelock <i>et al.</i> placer .....		9 N.	6 W.
John R. Quigley <i>et al.</i> placer .....	Snow Shoe Gulch .....	11 N.	7 W.
Alonzo A. Whittier and Thomas E. Pounds placer .....	Prairie Gulch .....	11 N.	7 W.
Nicholas Grommesh placer .....	Eureka Gulch .....	10 N.	7 & 8 W.
Allie Brown lode and mill site .....	Summit Valley .....	3 N.	8 W.
La Plata lode and mill site .....	do .....	3 N.	8 W.
Gambetta lode .....	Range Valley .....	3 N.	8 W.
William H. Milrea placer .....	American Gulch .....	12 N.	8 W.
William McCormick <i>et al.</i> placer .....	Nevada Creek .....	12 N.	8 W.
John W. Stoner and John Keating placer .....		12 N.	8 W.
Charles Pryse <i>et al.</i> placer .....		14 N.	9 W.
William Williams placer .....		14 N.	9 W.
David L. Isbell and James L. Isbell placer .....	Deer Gulch .....	12 & 13 N.	10 W.
William W. Higgins <i>et al.</i> placer .....	Nelson .....	9 N.	11 W.
Arthur Hagan <i>et al.</i> placer .....	Pioneer .....	9 N.	11 W.
Gem lode .....	Flint Creek .....	7 N.	13 W.
Salmon and Cliff Extension No. 2 lodes .....	do .....	7 N.	13 W.
Little Emma lode .....	do .....	7 N.	13 W.
Dennis Driscoll placer .....	Siberia .....	0	0
Jefferson County.			
Frederick Tielek placer .....	Idaho .....	7 N.	1 E.
George S. Harrison <i>et al.</i> placer .....	Hot Springs .....	8 N.	3 W.
Samuel A. Addis and William R. Gibbings placer .....		8 N.	3 W.
Old Dan Tucker lode .....		8 N.	3 W.
Lewis A. Reeder placer .....	Sky High .....	9 N.	3 W.
Henry Kniphalls <i>et al.</i> placer .....		9 N.	3 W.
Minah lode .....	Colorado .....	7 N.	4 W.
At Ease lode and mill site .....	do .....	7 N.	4 W.
Minah lode .....	do .....	7 N.	4 W.
Bismarck and Von Arnim lodes .....	Boulder .....	7 N.	4 W.
Binghamton and Rooker lodes .....		7 N.	5 W.
Lewis and Clarke County.			
Jean Alexander <i>et al.</i> placer .....	French Bar .....	10 N.	1 W.
William A. Chipman and George W. Diviney placer .....	Union .....	10 N.	3 W.
Hawk Eye lode .....		10 N.	3 W.
Wincent McClellan <i>et al.</i> placer .....	Tucker Gulch .....	9 N.	3 & 4 W.
Park lode .....	Park .....	9 N.	4 W.
Peerless lode .....	do .....	9 N.	4 W.
Thomas A. Ray <i>et al.</i> placer .....	Owyhee .....	9 N.	4 W.
Hezekiah Roundbush <i>et al.</i> placer .....	Grizzly Gulch .....	9 N.	4 W.
Doctor Steel lode and mill site .....		10 N.	4 W.
National Mining and Exploring Company's placer .....		10 N.	4 W.
North Pacific lode .....	Ten Mile .....	8 N.	5 W.
Daniel Stanton lode .....	do .....	8 N.	5 W.
South Pacific lode .....	do .....	8 N.	5 W.
Horse Fly lode .....	do .....	8 N.	5 W.

## List of mining claims, &amp;c.—Continued.

Name of mine.	Mining district.	Township.	Range.
<i>Lewis and Clarke County—Continued.</i>			
Regulator lode .....	Ten Mile .....	8 N.	5 W.
Wolf-tone and Young Ireland lodes .....	.....	8 N.	5 W.
Little Sampson lode .....	.....	8 N.	5 W.
Clontarf and Barnum W. Field lode .....	.....	9 N.	5 W.
Extension No. 1 west of R. E. Lee and the Lady Elizabeth Meagher lodes .....	.....	9 N.	5 W.
War Eagle lode .....	Greenhorn .....	10 N.	5 W.
Gem lode .....	do .....	10 N.	5 W.
William Sanford and Thomas Sanford placer .....	Piegan .....	12 N.	6 W.
Little Jennie No. 2 lode and Carrie B. Vaughan placer .....	Vaughan .....	0	
<i>Madison County.</i>			
Porey lode .....	Hot Springs .....	3 S.	1 W.
Madisonton and Frederick lodes .....	Meadow Creek .....	4 S.	1 W.
George F. Cope placer .....	Washington Bar .....	4 S.	2 W.
George F. Cope placer .....	do .....	4 S.	2 W.
Kennett lode .....	Slades .....	6 S.	2 W.
Henry Fishback .....	Pine .....	5 S.	3 W.
Julian M. Knight <i>et al.</i> placer .....	Fairweather .....	6 S.	3 W.
Christian B. Houser .....	do .....	6 S.	3 W.
Philip Conrey and Samuel H. Crockett placer .....	do .....	6 S.	3 W.
Julian M. Knight and Albert M. Hart placer .....	do .....	6 S.	3 W.
Julian M. Knight placer .....	Fairweather and Highland .....	6 S.	3 W.
Richard O. Hickman <i>et al.</i> placer .....	Junction .....	6 S.	3 W.
Willard G. McGregory placer .....	Nevada .....	6 S.	3 W.
Oscar A. Stedman placer .....	do .....	6 S.	3 W.
Lawrence A. Feuner placer .....	do .....	6 S.	3 W.
Le Roy Southmayd placer .....	Summit .....	7 S.	3 W.
Amos C. Hall and William H. Hall placer .....	do .....	7 S.	3 W.
Stephen Galunna <i>et al.</i> placer .....	Brown's Gulch .....	7 S.	3 W.
John G. Schmid and George F. Grisby placer .....	Harris Gulch .....	5 S.	4 W.
Alphonso Lambrecht <i>et al.</i> placer .....	do .....	6 S.	4 W.
Vienna lode .....	Rabbit .....	2 S.	7 W.
Watseca Trio, Panoippa and Julia Holmes lodes .....	do .....	0	0
<i>Meagher County.</i>			
James Hornbuckle <i>et al.</i> placer .....	Shaffer .....	10 N.	1 W.
James Hornbuckle <i>et al.</i> placer .....	Oregon Gulch .....	10 N.	1 W.
Henry Van Camp <i>et al.</i> placer .....	Cooper Gulch .....	10 & 11 N.	1 W.
William O. Warner <i>et al.</i> placer .....	do .....	10 & 11 N.	1 W.
Joseph V. Stafford placer .....	Cave Gulch .....	11 N.	1 W.
Neils Peterson placer .....	do .....	11 N.	1 W.
John Meeks <i>et al.</i> placer .....	do .....	11 N.	1 W.
William Farbery placer .....	German .....	10 N.	2 E.
Stephen Watson .....	Confederate Gulch .....	10 N.	3 E.
<i>Missoula County.</i>			
Louis Barrette <i>et al.</i> placer .....	.....	17 N.	25 W.
NEVADA.			
<i>Elko County.</i>			
Hawthorn placer .....	Halleck .....	35 N.	59 E.
<i>Eureka County.</i>			
Original Baltic mine .....	Eureka .....	0	0
Southern Pacific lode .....	do .....	0	0
John E. Plater mill site .....	do .....	0	0
Richmond Mining Company of Nevada mill site .....	do .....	0	0
At Last lode .....	do .....	0	0
Eureka Consolidated Mining Company's mill site .....	do .....	0	0
Alabama lode .....	do .....	0	0
Nugget lode .....	do .....	0	0
John E. Plater mill site .....	do .....	0	0
Rhyolite deposit .....	do .....	0	0
Richmond Mining Company of Nevada mill site .....	do .....	0	0
Richmond Mining Company of Nevada mill site .....	do .....	0	0
Richmond Mining Company of Nevada mill site .....	do .....	0	0
Shoo-Fly No. 3 mine .....	do .....	0	0
Shoo-Fly No. 2 mine .....	do .....	0	0
Jefferson mine .....	do .....	0	0
Saint George mine .....	do .....	0	0
Silver State mine .....	do .....	0	0
Lupita mine and mill site .....	do .....	0	0
Wide West lode .....	do .....	0	0
Bald Eagle lode .....	do .....	0	0
Hoosac mine .....	do .....	0	0
Wilson lode .....	do .....	0	0
Jackson lode .....	do .....	0	0

*List of mining claims, &c.—Continued.*

Name of mine.	Mining district.	Township.	Range.
<i>Lander County.</i>			
S. C. Baker lode .....	Reese River .....	19 N.	14 E.
Phoenician lode .....	Summit and Bunker Hill Consolidated.	16 N.	43 E.
<i>Lincoln County.</i>			
Potosi mine .....	Yellow Pine .....	0	0
<i>Lyon County.</i>			
Diez Senores lode .....	Devil's Gate and Chinatown .....	16 N.	21 E.
Montezuma lode .....	do .....	16 N.	21 E.
<i>Nye County.</i>			
Moore and Martin and Transylvania mines .....	Philadelphia .....	9 N.	45 E.
Monitor and Independence mines .....	do .....	9 N.	45 E.
Vestal, Young America, and Ponticulas lodes .....	Danville .....	0	0
Barcelona mine No. 1, south extension .....	Spanish Belt .....	0	0
Barcelona mine No. 1 .....	do .....	0	0
Bunker Hill lode .....	Tybo .....	0	0
<i>Storey County.</i>			
Woodville lode .....	Gold Hill .....	16 N.	21 E.
Colorado lode .....	Virginia .....	17 N.	21 E.
Mexican lode .....	do .....	17 N.	21 E.
Gibbs lode .....	Gold Hill .....	17 N.	21 E.
Bailey lode .....	Silver Star .....	17 N.	21 E.
<i>White Pine County.</i>			
Charter Oak lode .....	White Pine .....	16 N.	58 E.
Charter Oke lode and mill site .....	do .....	16 N.	58 E.
Oh Joe mine .....	do .....	16 N.	58 E.
John Wild North mine and mill site .....	do .....	16 N.	58 E.
John Wild South mine and mill site .....	do .....	16 N.	58 E.
Mastoden lode and mill site .....	Lake .....	14 N.	63 E.
Lida lode .....	do .....	14 N.	63 E.
Eldora lode .....	do .....	14 N.	63 E.
Nevada Chief mine and mill site .....	do .....	14 N.	63 E.
Martin White Mining Company's mill site .....	Ward .....	14 N.	63 E.
Martin White Mining Company's mill site .....	do .....	14 N.	63 E.
Martin White Mining Company's mill site .....	do .....	14 N.	63 E.
Martin White Mining Company's mill site .....	do .....	14 N.	63 E.
Curtis and Keller mine .....	Diamond .....	0	0
Gilligan lode and mill site .....	Gold Cañon .....	0	0
Gilligan east lode and mill site .....	do .....	0	0
Gilligan west lode and mill site .....	do .....	0	0
Jenny Lind lode and mill site .....	do .....	0	0
Allen No. 2 lode .....	Schell Creek .....	0	0
War Eagle lode .....	do .....	0	0
Mohawk lode and mill site .....	do .....	0	0
Genesee lode and mill site .....	do .....	0	0
Compensation and Good Luck lode and mill site ..	White Pine .....	0	0
OREGON.			
<i>Baker County.</i>			
Paul L. Shumway and Marous F. Colt placer .....	Willow Creek .....	14 S.	42 E.
Jed A. Blair and Fred Monhot placer .....	do .....	14 S.	42 E.
<i>Coos County.</i>			
F. G. Lockhart et al. placer .....	Hinches .....	27 S.	14 W.
<i>Grant County.</i>			
Samuel C. Hillis and William H. Clark placer ..	John Day .....	0	0
Samuel C. Hillis and William H. Clark placer ..	do .....	0	0
John Long placer .....	do .....	0	0
<i>Jackson County.</i>			
James A. Willson et al. placer .....	Jackson Creek .....	38 S.	3 W.
William Hoffman and William Ray placer .....	do .....	38 S.	3 W.
O. Jacobs and H. Kelley placer .....	Cayote .....	0	0
<i>Josephine County.</i>			
J. H. Reed et al. placer .....	Galice Creek .....	0	0
James Steel et al. placer .....	do .....	0	0
UTAH.			
<i>Boz Elder County.</i>			
Sunset mine .....	Lucian .....	0	0
<i>Millard County.</i>			
Mammoth mine .....	Gordon .....	25 S.	6 W.
<i>Salt Lake County.</i>			
Stella mine .....	Big Cottonwood .....	0	0

*List of mining claims, &c.—Continued.*

Name of mine.	Mining district.	Town-ship.	Range.
Queen Bess mine.....	Big Cottonwood.....	0	0
Little Fred Mine.....	do.....	0	0
Crown Prince mine.....	Little Cottonwood.....	0	0
Frederick mine.....	do.....	0	0
Langdon mine.....	do.....	0	0
Live Yankee mine.....	do.....	0	0
Geneva lode.....	do.....	0	0
Oxford lode.....	do.....	0	0
Ely mine.....	West Mountain.....	0	0
Oscola and Lucky Boy Consolidated mine.....	do.....	0	0
Giant Chief mine.....	do.....	0	0
Telegraph mine.....	do.....	0	0
Miner's Dream No. 2 mine.....	do.....	0	0
Hamlin mine.....	do.....	0	0
Yampa Extension, Northeast mine.....	do.....	0	0
Hydaspes mine.....	do.....	0	0
George mine.....	do.....	0	0
No You Don't mine.....	do.....	0	0
Roman Empire mine.....	do.....	0	0
Montana mine.....	do.....	0	0
Owyhee mine.....	do.....	0	0
Rough and Ready mine.....	do.....	0	0
Grand Cross mine.....	do.....	0	0
Nez Perces Chief mine.....	do.....	0	0
Third Westerly Extension of the Telegraph mine.....	do.....	0	0
<i>Summit County.</i>			
Flagstaff mine.....	Uintah.....	0	0
<i>Tooele County.</i>			
Bullion No. 3 mine.....	Rush Valley.....	4 S.	5 W.
Daniel Webster mine.....	do.....	0	0
Wandering Boy mine.....	Camp Floyd.....	0	0
Silver Circle lode.....	do.....	0	0
Bechtel mine.....	Ophir.....	0	0
Galena mine.....	do.....	0	0
Rattler No. 2 mine.....	do.....	0	0
<i>Utah County.</i>			
Mary Ellen mine.....	American Fork.....	0	0
Tom Green mine.....	do.....	0	0
Sparrow mine.....	Provo.....	0	0
<i>Wasatch County.</i>			
Hawkeye mine.....	Blue Ledge.....	0	0
WYOMING.			
<i>Carbon County.</i>			
Lammot Du Pont <i>et al.</i> soda claim.....	Natrona.....	0	0
Lammot Du Pont <i>et al.</i> soda claim.....	do.....	0	0
Lammot Du Pont <i>et al.</i> soda claim.....	do.....	0	0
Lammot Du Pont soda claim.....	do.....	0	0

## LIST OF UNITED STATES SURVEYORS-GENERAL.

Surveying-districts.	Names of surveyors-general.
Arizona, Tucson .....	John Wasson.
California, San Francisco .....	John W. Ames.
Colorado, Denver .....	William L. Campbell.
Dakota, Yankton .....	Henry Espersen.
Florida, Tallahassee .....	Le Roy D. Ball.
Idaho, Boise City .....	L. F. Cartee.
Louisiana, New Orleans .....	O. H. Brewster.
Minnesota, Saint Paul .....	J. H. Baker.
Montana, Helena .....	Roswell H. Mason.
Nebraska, Plattsmouth .....	John R. Clark.
Nevada, Virginia City .....	E. S. Davis.
New Mexico, Santa Fé .....	Henry M. Atkinson.
Oregon, Portland .....	Ben. Simpson.
Utah, Salt Lake City .....	Nathan Kimball.
Washington, Olympia .....	William McMicken.
Wyoming, Cheyenne .....	Ed. C. David.

## UNITED STATES LAND OFFICES.

MISSOURI.	WISCONSIN.	Benson.	Kirwin.
Boonville.	Menasha.	Detroit.	Concordia.
Ironton.	Falls of Saint Croix.	Redwood Falls.	Larned.
Springfield.	Wausau.		Hays City.
ALABAMA.	La Crosse.	OREGON.	COLORADO TER.
Mobile.	Bayfield.	Oregon City.	Denver City.
Huntsville.	Eau Claire.	Roseburg.	Fair Play.
Montgomery.		Le Grand.	Central City.
	CALIFORNIA.	Lakeview.	Pueblo.
	San Francisco.	Dalles.	Del Norte.
MISSISSIPPI.	Marysville.	DAKOTA TER.	Lake City.
Jackson.	Humboldt.	Sioux Falls.	IDAHO TER.
	Stockton.	Springfield.	Boisé City.
LOUISIANA.	Y. salia.	Fargo.	Lewiston.
New Orleans.	Sacramento.	Yankton.	
Monroe.	Los Angeles.	Bismarck.	MONTANA TER.
Natchitoches.	Shasta.	Deadwood.	
	Susanville.		
	Independence.	NEBRASKA.	Helena.
MICHIGAN.	NEVADA.	Norfolk.	Bozeman.
Detroit.	Carson City.	Beatrice.	ARIZONA TER.
East Saginaw.	Eureka.	Lincoln.	Prescott.
Ionia.		Niobrara.	Florence.
Marquette.	WASHINGTON TER.	Grand Island.	UTAH TER.
Traverse City.	Olympia.	North Platte.	Salt Lake City.
ARKANSAS.	Vancouver.	Bloomington.	
Little Rock.	Walla Walla.	NEW MEXICO TER.	WYOMING TER.
Camden.	Colfax.	Santa Fé.	Cheyenne.
Harrison.	MINNESOTA.	La Mesilla.	Evanston.
Dardanelle.	Taylor's Falls.	KANSAS.	
FLORIDA.	Saint Cloud.	Topeka.	
Gainesville.	Du Luth.	Salina.	
	Fergus Falls.	Independence.	
IOWA.	Worthington.	Wichita.	
Fort Des Moines.	New Ulm.		
Sioux City.			



No. 1.—*Tabular statement showing the number of acres of public lands surveyed in the following land States and Territories, up to June 30, 1876, during the present fiscal year, and the total of the public lands surveyed up to June 30, 1877; also, the total area of the public domain remaining unsurveyed within the same.*

Land States and Territories.	Areas of public lands in States and Territories.		Number of acres of public lands surveyed.				Total area of public and Indian lands remaining unsurveyed, and of course, unoffered and undisposed of, inclusive of the area of private land claims surveyed up to June 30, 1877.
	In acres.	In square miles.	Up to June 30, 1876.	Prior to June 30, 1876, not heretofore reported.	Within the fiscal year ending June 30, 1877.	Total up to June 30, 1877.	
Wisconsin.....	34,511,360	53,924	34,511,360	.....	.....	34,511,360	.....
Iowa.....	35,222,800	55,045	35,222,800	.....	.....	35,222,800	.....
Minnesota.....	53,459,840	83,531	38,158,613	15,299,227	527,679.05	53,459,840	14,694,130
Kansas.....	51,770,240	80,891	51,770,240	.....	.....	51,770,240	.....
Nebraska.....	48,636,800	75,995	37,896,214	.....	1,332,188.32	39,234,402	9,402,398
California.....	100,992,640	157,801	43,415,642	298,211.72	1,258,394.94	44,972,249	56,020,391
Nevada.....	71,737,600	112,090	10,931,155	.....	322,931.91	11,254,087	60,483,513
Oregon.....	60,975,360	95,274	19,278,453	.....	6,645,362.63	19,923,816	41,051,544
Washington.....	44,796,160	69,994	12,180,637	27,175.21	360,755.90	12,568,568	32,227,592
Colorado.....	66,880,000	104,500	19,418,864	.....	1,581,058.06	20,999,922	45,880,078
Utah.....	54,064,640	84,476	7,650,037	.....	724,496.92	8,374,534	45,690,106
Arizona.....	72,906,240	113,916	4,050,145	120,242.11	496,495.90	4,666,883	68,239,357
New Mexico.....	77,568,640	121,201	7,289,778	.....	630,971.67	7,920,750	69,647,890
Dakota.....	96,596,480	150,932	19,031,407	.....	1,488,807.34	20,520,214	76,076,266
Idaho.....	55,228,160	86,294	5,929,610	62,720.00	200,682.76	6,193,013	49,035,147
Montana.....	92,016,640	143,776	9,122,393	.....	796,593.91	9,918,986	82,097,654
Wyoming.....	62,645,120	97,883	7,371,722	.....	359,339.24	7,731,061	54,914,059
Missouri.....	41,824,000	65,350	41,824,000	.....	.....	41,824,000	.....
Alabama.....	32,462,080	50,722	32,462,080	.....	.....	32,462,080	.....
Mississippi.....	30,179,840	47,156	30,179,840	.....	.....	30,179,840	.....
Louisiana.....	26,461,440	41,346	25,114,264	2,456.10	115,323.84	25,232,044	1,229,396
Arkansas.....	33,406,720	52,193	33,406,720	.....	.....	33,406,720	.....
Florida.....	37,931,520	59,268	30,028,152	75,556.04	.....	30,103,708	7,827,812
Ohio.....	25,576,960	39,964	25,576,960	.....	.....	25,576,960	.....
Indiana.....	21,637,760	33,809	21,637,760	.....	.....	21,637,760	.....
Michigan.....	36,128,640	56,451	36,128,640	.....	.....	36,128,640	.....
Illinois.....	35,462,400	55,410	35,462,400	.....	.....	35,462,400	.....
Indian Territory.....	44,154,240	68,991	27,003,990	.....	.....	27,003,990	17,150,250
Alaska.....	369,529,600	577,390	.....	.....	.....	.....	369,529,600
Total.....	1,814,769,920	2,835,578	702,039,876	665,779.23	10,847,082.39	713,572,737	1,101,197,183

a Of the surveys in Minnesota, 74,568.85 acres were of the Leech Lake Indian Reservation. b Of the surveys in Oregon, 75,993.75 acres were of the Siletz Indian Reservation.

DEPARTMENT OF THE INTERIOR, General Land Office, 1877.

J. A. WILLIAMSON, Commissioner.

No. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, number of acres entered for homestead settlement and timber culture, the area located with agricultural college scrip, amount of fees and commissions received thereon, for fiscal year commencing July 1, 1876, and ending June 30, 1877.

States, Territories, and land offices.	Fiscal year 1877.	Quantity sold for cash and revolutionary bounty-land scrip at and above \$1.25 per acre, and amount received therefor, in the fiscal year ending June 30, 1877.		Amount received in cash and revolutionary bounty-land scrip, respectively, during the fiscal year ending June 30, 1877.		Quantity entered for homestead settlement, with the aggregate of \$5 and \$10 payments thereon, with registers' and receivers' commissions on the value of the lands entered, during the fiscal year ending June 30, 1877.			
		Acres.	Amount.	Cash.	Bounty-land scrip.	Acres.	\$5 and \$10 payments.	Registers' and receivers' commissions.	Aggregate of \$5 and \$10 payments and registers' and receivers' commissions.
ALABAMA.									
Huntsville.....	First half.....	56.33	\$291 74	\$291 74	.....	35,843.32	\$2,705 00	\$1,425 00	\$4,130 00
Huntsville.....	Second half.....	45.33	719 20	719 20	.....	33,710.80	2,855 00	1,361 00	4,216 00
Total.....		101.66	1,010 94	1,010 94	.....	71,554.12	5,560 00	2,786 00	8,346 00
Montgomery.....	First half.....	21.70	31 20	31 20	.....	15,915.71	1,365 00	1,020 00	2,385 00
Montgomery.....	Second half.....	63.68	245 15	245 15	.....	17,089.51	1,395 00	877 00	2,272 00
Total.....		85.38	276 35	276 35	.....	33,005.22	2,760 00	1,897 00	4,657 00
Mobile.....	First half.....	.....	.....	.....	.....	6,741.67	625 00	416 00	1,071 00
Mobile.....	Second half.....	85.71	107 15	107 15	.....	9,532.23	825 00	520 00	1,345 00
Total.....		85.71	107 15	107 15	.....	16,273.90	1,450 00	966 00	2,416 00
Grand total.....		272.75	1,394 44	1,394 44	.....	120,833.24	9,770 00	5,649 00	15,419 00
ARKANSAS.									
Camden.....	First half.....	30.59	562 81	562 81	.....	24,447.21	1,900 00	1,413 51	3,313 51
Camden.....	Second half.....	37.30	296 97	296 97	.....	24,481.53	1,794 00	1,024 80	2,818 80
Total.....		67.89	859 78	859 78	.....	48,928.74	3,694 00	2,438 31	6,132 31
Dardanelle.....	First half.....	9.28	162 48	162 48	.....	12,942.70	1,145 00	1,205 59	2,350 59
Dardanelle.....	Second half.....	28.65	54 52	54 52	.....	15,949.35	1,419 00	1,477 23	2,896 23
Total.....		37.93	217 00	217 00	.....	28,892.05	2,564 00	2,682 82	5,246 82

Harrison.....	First half.....	171.43	214 28	214 28	13,399.21	910 00	775 13	1,705 13
Harrison.....	Second half.....	19.78	94 72	94 72	27,460.56	1,925 00	1,367 33	3,292 33
Total.....		191.21	309 00	309 00	40,859.77	2,855 00	2,142 46	4,997 46
Little Rock.....	First half.....	38.56	745 48	745 48	14,726.36	1,235 00	1,356 55	2,591 55
Little Rock.....	Second half.....	58.12	193 38	193 38	18,324.70	1,525 00	1,138 35	2,663 35
Total.....		96.68	938 86	938 86	33,051.06	2,760 00	2,494 90	5,254 90
Grand total.....		393.71	2,324 64	2,324 64	151,731.62	11,873 00	9,758 49	21,631 49
ARIZONA.								
Florence.....	First half.....	1,443.10	2,707 50	2,707 50	960.00	90 00	72 00	162 00
Florence.....	Second half.....	36,933.79	10,736 50	10,736 50	734.57	55 00	39 00	94 00
Total.....		38,376.89	13,444 00	13,444 00	1,694.57	145 00	111 00	256 00
Prescott.....	First half.....	2,307.92	3,540 25	3,540 25	1,306.35	90 00	51 00	141 00
Prescott.....	Second half.....	4,017.28	2,709 35	2,709 35	2,358.53	150 00	106 50	256 50
Total.....		6,325.20	6,249 60	6,249 60	3,664.88	240 00	157 50	397 50
Grand total.....		44,702.09	19,693 60	19,693 60	5,359.45	385 00	268 50	653 50
CALIFORNIA.								
Humboldt.....	First half.....	36,854.43	54,971 77	54,971 77	14,931.99	945 00	616 50	1,561 50
Humboldt.....	Second half.....	14,393.50	24,185 76	24,185 76	16,588.09	1,045 00	665 12	1,710 12
Total.....		51,247.93	79,157 53	79,157 53	31,522.08	1,990 00	1,281 62	3,271 62
Independence.....	First half.....	2,105.70	3,858 85	3,858 85	1,040.00	65 00	72 00	137 00
Independence.....	Second half.....	7,704.85	3,610 24	3,610 24	1,720.00	110 00	96 00	260 00
Total.....		9,810.55	7,469 09	7,469 09	2,760.00	175 00	168 00	343 00
Los Angeles.....	First half.....	6,280.90	9,430 84	9,430 84	3,542.33	295 00	196 50	491 50
Los Angeles.....	Second half.....	47,112.10	19,403 64	19,403 64	2,907.39	240 00	186 00	426 00
Total.....		53,393.00	28,834 48	28,834 48	6,449.72	535 00	382 50	917 50
Marysville.....	First half.....	21,183.15	45,248 11	45,248 11	16,539.13	1,210 00	1,019 26	2,229 26
Marysville.....	Second half.....	27,896.24	63,924 93	63,924 93	7,876.68	740 00	695 30	1,435 30
Total.....		49,079.39	109,173 04	109,173 04	24,415.81	1,950 00	1,714 56	3,664 56
San Francisco.....	First half.....	13,508.21	26,663 04	24,034 92	\$3,628 12	1,300 00	1,225 50	2,525 50
San Francisco.....	Second half.....	5,463.25	12,835 22	7,976 15	4,859 07	1,685 00	1,338 00	3,023 00
Total.....		18,971.46	39,498 26	32,011 07	7,487 19	2,985 00	2,563 50	5,548 50

No. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, &amp;c.—Continued.

States, Territories, and land offices.	Fiscal year 1877.	Quantity sold for cash and revolutionary bounty-land scrip at and above \$1.25 per acre, and amount received therefor, in the fiscal year ending June 30, 1877.		Amount received in cash and revolutionary bounty-land scrip, respectively, during the fiscal year ending June 30, 1877.		Quantity entered for homestead settlement, with the aggregate of \$5 and \$10 payments thereon, with registers' and receivers' commissions on the value of the lands entered, during the fiscal year ending June 30, 1877.			
		Acres.	Amount.	Cash.	Bounty-land scrip.	Acres.	\$5 and \$10 payments.	Registers' and receivers' commissions.	Aggregate of \$5 and \$10 payments and registers' and receivers' commissions.
CALIFORNIA—Continued.									
Sacramento .....	First half .....	13, 103. 04	\$28, 020 90	\$22, 020 90	.....	11, 915. 19	\$935 00	\$858 65	\$1, 793 65
Sacramento .....	Second half .....	12, 142. 41	25, 503 38	25, 503 38	.....	15, 994. 38	1, 290 00	1, 261 82	2, 551 82
Total .....	.....	25, 245. 45	53, 524 28	53, 524 28	.....	27, 909. 57	2, 225 00	2, 120 47	4, 345 47
Stockton .....	First half .....	14, 655. 40	24, 192 20	24, 192 20	.....	10, 435. 43	675 00	692 33	1, 367 33
Stockton .....	Second half .....	13, 534. 45	21, 734 12	21, 734 12	.....	10, 942. 55	725 00	753 35	1, 478 35
Total .....	.....	28, 189. 85	45, 926 32	45, 926 32	.....	21, 377. 98	1, 400 00	1, 445 68	2, 845 68
Shasta .....	First half .....	3, 825. 08	8, 149 42	8, 149 42	.....	1, 840. 00	205 00	193 62	398 62
Shasta .....	Second half .....	8, 047. 09	11, 370 34	11, 370 34	.....	3, 799. 28	350 00	292 50	642 50
Total .....	.....	11, 872. 17	19, 519 76	19, 519 76	.....	5, 639. 28	555 00	486 12	1, 041 12
Sussexville .....	First half .....	9, 451. 57	15, 521 84	15, 521 84	.....	7, 342. 02	470 00	417 79	887 79
Sussexville .....	Second half .....	20, 185. 85	15, 159 28	15, 159 28	.....	8, 247. 07	525 00	529 25	1, 054 25
Total .....	.....	29, 637. 42	30, 681 12	30, 681 12	.....	15, 595. 09	995 00	947 04	1, 942 04
Visalia .....	First half .....	11, 117. 87	26, 221 91	26, 221 91	.....	12, 976. 75	1, 105 00	1, 088 50	2, 193 50
Visalia .....	Second half .....	112, 457. 08	43, 926 40	43, 926 40	.....	8, 353. 22	730 00	696 00	1, 426 00
Total .....	.....	123, 574. 95	70, 148 31	70, 148 31	.....	21, 329. 97	1, 835 00	1, 784 50	3, 619 50
Grand total .....	.....	401, 021. 17	483, 932 19	476, 445 00	\$7, 427 19	230, 373. 96	14, 645 00	12, 893 99	27, 538 99
COLORADO.									
Central City .....	First half .....	1, 917 32	3, 811 09	3, 811 09	.....	200. 00	15 00	67 50	82 50
Central City .....	Second half .....	563. 41	1, 937 48	1, 937 48	.....	159. 86	10 00	30 00	40 00

Total .....		2,480.73	5,748.57	5,748.57	350.86	25.00	97.50	122.50
Denver City .....	First half .....	3,790.97	6,794.28	6,794.28	7,766.06	660.00	1,139.41	1,799.41
Denver City .....	Second half .....	1,772.60	4,831.33	4,831.33	6,186.57	505.00	798.00	1,303.00
Total .....		5,563.57	11,625.61	11,625.61	13,952.63	1,165.00	1,937.41	3,102.41
Del Norte .....	First half .....	4,313.81	6,539.50	6,539.50	3,759.06	235.00	162.00	397.00
Del Norte .....	Second half .....	6,043.97	8,823.69	8,823.69	3,916.84	250.00	153.00	403.00
Total .....		10,357.78	15,363.19	15,363.19	7,675.90	485.00	315.00	800.00
Fair Play .....	First half .....	3,831.39	5,997.94	5,997.94	960.00	60.00	36.00	96.00
Fair Play .....	Second half .....	3,122.23	4,366.49	4,366.49	1,760.00	110.00	72.00	182.00
Total .....		6,959.62	10,364.43	10,364.43	2,720.00	170.00	108.00	278.00
Pueblo .....	First half .....	4,376.65	7,063.44	7,063.44	6,138.54	405.00	337.50	742.50
Pueblo .....	Second half .....	2,754.69	4,282.78	4,282.78	7,199.59	455.00	391.50	846.50
Total .....		7,131.34	11,346.22	11,346.22	13,338.13	860.00	729.00	1,589.00
Grand total .....		32,493.04	54,448.02	54,448.02	38,046.52	2,705.00	3,186.91	5,891.91
DAKOTA TERRITORY.								
Bismarck .....	First half .....	719.94	1,799.85	1,799.85	675.40	50.00	52.00	102.00
Bismarck .....	Second half .....	398.72	996.80	996.80	720.00	50.00	36.00	86.00
Total .....		1,118.66	2,796.65	2,796.65	1,395.40	100.00	88.00	188.00
Fargo .....	First half .....	1,973.01	3,721.00	3,721.00	6,421.16	465.00	274.46	739.46
Fargo .....	Second half .....	2,467.35	4,665.91	4,665.91	13,964.90	1,030.00	519.16	1,549.16
Total .....		4,440.36	8,386.91	8,386.91	20,386.06	1,495.00	793.62	2,288.62
Sioux Falls .....	First half .....	4,453.86	10,529.23	10,529.23	29,062.49	1,940.00	1,668.53	3,608.53
Sioux Falls .....	Second half .....	3,024.71	6,578.75	6,578.75	23,868.21	1,505.00	1,136.68	2,641.68
Total .....		7,478.57	17,107.98	17,107.98	52,930.70	3,445.00	2,805.21	6,250.21
Springfield .....	First half .....	2,473.68	3,492.28	3,492.28	9,729.08	610.00	326.11	936.11
Springfield .....	Second half .....	507.09	633.86	633.86	7,351.87	465.00	253.79	718.79
Total .....		2,980.77	4,126.14	4,126.14	17,080.95	1,075.00	579.90	1,654.90
Yankton .....	First half .....	2,875.73	4,394.69	4,394.69	18,630.93	1,275.00	723.86	1,998.86
Yankton .....	Second half .....	1,442.33	2,602.92	2,602.92	13,445.78	845.00	580.77	1,425.77
Total .....		4,318.06	6,997.61	6,997.61	32,076.71	2,120.00	1,304.63	3,424.63
Grand total .....		20,336.42	39,415.29	39,415.29	123,869.82	8,235.00	5,571.36	13,806.36

No. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, &amp;c.—Continued.

States, Territories, and land offices.	Fiscal year 1877.	Quantity sold for cash and revolutionary bounty-land scrip at and above \$1.25 per acre, and amount received therefor, in the fiscal year ending June 30, 1877.		Amount received in cash and revolutionary bounty-land scrip, respectively, during the fiscal year ending June 30, 1877.		Quantity entered for homestead settlement, with the aggregate of \$5 and \$10 payments thereon, with registers' and receivers' commissions on the value of the lands entered, during the fiscal year ending June 30, 1877.			
		Acres.	Amount.	Cash.	Bounty-land scrip.	Acres.	\$5 and \$10 payments.	Registers' and receivers' commissions.	Aggregate of \$5 and \$10 payments and registers' and receivers' commissions.
FLORIDA.									
Gainesville.....	First half .....	292.70	\$4,798 58	\$4,798 58	.....	86,925.44	\$6,250 00	\$2,550 39	\$8,800 39
Gainesville.....	Second half.....	489.29	7,781 91	7,781 91	.....	98,846.36	7,065 00	2,915 06	9,980 06
Total .....	.....	781.99	12,580 49	12,580 49	.....	185,771.80	13,315 00	5,465 45	18,780 45
IDAHO TERRITORY.									
Boise City .....	First half .....	1,720.23	2,150 37	2,150 37	.....	10,754.83	745 00	580 50	1,325 50
Boise City .....	Second half.....	1,189.06	1,485 15	1,485 15	.....	7,401.72	480 00	344 50	824 50
Total .....	.....	2,908.29	3,635 52	3,635 52	.....	18,156.55	1,225 00	925 00	2,150 00
Lewiston .....	First half .....	373.15	466 44	466 44	.....	160.00	10 00	12 00	22 00
Lewiston .....	Second half.....	2,457.09	3,071 38	3,071 38	.....	9,424.43	590 00	420 00	1,010 00
Total .....	.....	2,830.24	3,537 82	3,537 82	.....	9,584.43	600 00	432 00	1,032 00
Grand total .....	.....	5,738.53	7,173 34	7,173 34	.....	27,740.98	1,825 00	1,357 00	3,182 00
IOWA.									
Des Moines.....	First half .....	600.00	800 00	800 00	.....	582.00	90 00	278 54	368 54
Des Moines.....	Second half.....	481.76	604 40	604 40	.....	648.69	80 00	479 47	559 47
Total .....	.....	1,081.76	1,404 40	1,404 40	.....	1,230.69	170 00	758 01	928 01
Sioux City .....	First half .....	211.08	327 70	327 70	.....	3,385.80	352 00	2,557 00	2,909 00
Sioux City .....	Second half.....	6.39	212 93	212 93	.....	1,520.00	125 00	2,332 00	2,517 00
Total .....	.....	217.47	540 63	540 63	.....	4,905.80	537 00	4,889 00	5,426 00

Grand total .....		1,299.23	1,945 03	1,945 03		6,136.49	707 00	5,647 01	6,354 01
ILLINOIS.									
Springfield* .....	First half .....	452.55	734 08	734 08					
Springfield* .....	Second half .....								
Total .....		452.55	734 08	734 08					
INDIANA.									
Indianapolis* .....	First half .....	227.88	284 82	284 82					
Indianapolis* .....	Second half .....	32.22	40 27	40 27		272.28	15 00	12 00	27 00
Total .....		260.10	325 09	325 09		272.28	15 00	12 00	27 00
KANSAS.									
Concordia .....	First half .....	147.68	1,538 62	1,538 62		41,576.81	2,810 00	3,991 17	6,801 17
Concordia .....	Second half .....	2,660.48	4,090 61	4,090 61		44,711.67	2,995 00	5,975 59	8,970 59
Total .....		2,808.16	5,629 23	5,629 23		86,288.48	5,805 00	9,966 76	15,771 76
Hays City .....	First half .....	1,043.68	2,809 19	2,809 19		28,621.32	2,830 00	1,216 37	4,046 37
Hays City .....	Second half .....	895.74	2,038 30	2,038 30		14,739.83	1,060 00	644 73	1,704 73
Total .....		1,939.42	4,847 49	4,847 49		43,361.15	3,890 00	1,861 10	5,751 10
Independence .....	First half .....	12.40	19 87	19 87		707.87	90 00	274 49	364 49
Independence .....	Second half .....	250.99	313 74	313 74		760.00	75 00	212 74	287 74
Total .....		263.39	333 61	333 61		1,467.87	165 00	487 23	652 23
Kirwin .....	First half .....	1,130.84	2,279 18	1,930 43	348 75	40,249.90	2,530 00	1,567 78	4,097 78
Kirwin .....	Second half .....	1,549.75	2,602 35	2,602 35		41,638.23	2,630 00	1,943 93	4,573 93
Total .....		2,680.59	4,881 53	4,532 78	348 75	81,888.13	5,160 00	3,511 71	8,671 71
Larned .....	First half .....	1,965.69	4,767 60	4,707 60		42,919.14	3,660 00	2,621 61	6,281 61
Larned .....	Second half .....	2,443.98	5,993 03	5,993 03		58,411.50	3,910 00	2,549 66	6,459 66
Total .....		4,409.67	10,700 63	10,700 63		107,330.64	7,570 00	5,171 27	12,741 27
Salina .....	First half .....	5,158.74	12,552 80	12,552 80		36,455.18	3,120 00	3,907 67	7,027 67
Salina .....	Second half .....	1,897.17	5,257 21	5,257 21		33,886.95	2,890 00	3,528 41	6,418 41
Total .....		7,055.91	17,810 01	17,810 01		70,372.13	6,010 00	7,436 08	13,446 08
Topeka .....	First half .....	4,175.30	6,500 00	6,500 00		3,700.16	435 00	849 01	1,284 01
Topeka .....	Second half .....	204.13	310 32	310 32		2,008.21	220 00	455 56	675 56
Total .....		4,379.43	6,810 32	6,810 32		5,708.37	655 00	1,304 57	1,959 57

\* Office closed September 30, 1876. Commissioner of General Land Office ex-officio register and receiver, act of March 3, 1877.



States, Territories, and land offices.	Fiscal year 1877.	Quantity sold for cash and revolutionary bounty-land scrip at and above \$1.25 per acre, and amount received therefor, in the fiscal year ending June 30, 1877.		Amount received in cash and revolutionary bounty-land scrip, respectively, during the fiscal year ending June 30, 1877.		Quantity entered for homestead settlement, with the aggregate of \$5 and \$10 payments thereon, with registers' and receivers' commissions on the value of the lands entered, during the fiscal year ending June 30, 1877.			
		Acres.	Amount.	Cash.	Bounty-land scrip.	Acres.	\$5 and \$10 payments.	Registers' and receivers' commissions.	Aggregate of \$5 and \$10 payments and registers' and receivers' commissions.
KANSAS—Continued.									
Wichita	First half	1,511.02	\$3,460 94	\$3,460 94		27,140.50	\$2,275 00	\$2,763 40	\$5,038 40
Wichita	Second half	1,487.41	4,377 02	4,377 02		18,320.51	1,365 00	2,518 41	3,883 41
Total		2,998.43	7,837 96	7,837 96		45,461.01	3,640 00	5,281 81	8,921 81
Grand total		26,535.00	58,950 78	58,502 03	\$348 75	441,877.78	32,895 00	35,020 53	67,915 53
LOUISIANA.									
New Orleans	First half	133.17	1,095 85	1,095 85		17,018.04	1,145 00	622 94	1,767 94
New Orleans	Second half	144.59	406 23	406 23		20,907.42	1,395 00	774 77	2,169 77
Total		277.76	1,502 08	1,502 08		37,925.46	2,540 00	1,397 71	3,937 71
Natchitoches	First half	12.21	29 39	29 39		5,111.33	520 00	646 70	1,166 70
Natchitoches	Second half	17.86	44 65	44 65		3,372.21	360 00	258 12	618 12
Total		30.07	74 04	74 04		8,483.54	880 00	904 82	1,784 82
Monroe	First half	81.35	101 67	101 67		5,114.61	464 00	271 96	735 96
Monroe	Second half	2.82	3 52	3 52		1,199.89	105 00	70 85	175 85
Total		84.17	105 19	105 19		6,314.50	569 00	342 81	911 81
Grand total		392.00	1,681 31	1,681 31		52,723.50	3,989 00	2,645 34	6,634 34
MICHIGAN.									
Detroit	First half	160.33	200 42	200 42		5,611.49	415 00	350 40	765 40
Detroit	Second half	532.30	9,207 39	9,207 39		5,805.30	400 00	240 66	640 66
Total		692.63	9,407 81	9,407 81		11,416.79	815 00	591 06	1,406 06

East Saginaw.....	First half.....	577.17	1,141 57	1,141 57	4,489.31	365 00	308 86	673 86
East Saginaw.....	Second half.....	251.74	564 68	564 68	3,877.44	340 00	286 75	626 75
Total.....		828.91	1,706 25	1,706 25	8,366.75	705 00	595 61	1,300 61
Ionia.....	First half.....	158.52	1,488 15	1,488 15	4,832.66	415 00	699 42	1,114 42
Ionia.....	Second half.....	95.11	587 78	587 78	5,260.82	435 00	569 86	1,004 86
Total.....		253.63	2,075 93	2,075 93	10,113.48	850 00	1,269 28	2,119 28
Marquette.....	First half.....	4,189.14	5,930 95	5,930 95	6,261.24	500 00	290 51	790 51
Marquette.....	Second half.....	2,017.13	2,971 44	2,971 44	8,940.29	715 00	343 04	1,058 04
Total.....		6,206.27	8,902 39	8,902 39	15,201.53	1,215 00	633 55	1,848 55
Traverse City.....	First half.....	969.80	3,054 29	3,054 29	22,422.91	1,695 00	1,599 93	3,294 93
Traverse City.....	Second half.....	741.19	1,824 54	1,824 54	36,482.42	2,980 00	2,075 70	5,055 70
Total.....		1,710.99	4,878 83	4,878 83	58,905.33	4,675 00	3,675 63	8,350 63
Grand total.....		9,692.43	26,971 21	26,971 21	104,003.88	8,260 00	6,765 13	15,025 13
MINNESOTA.								
Alexandria.....	First half.....	838.15	1,447 32	1,447 32	7,630.09	620 00	650 83	1,270 83
Alexandria*.....	Second half.....							
Total.....		838.15	1,447 32	1,447 32	7,630.09	620 00	650 83	1,270 83
Benson.....	First half.....	795.70	1,261 21	1,261 21	11,562.19	1,050 00	1,303 14	2,353 14
Benson.....	Second half.....	684.31	1,873 83	1,873 83	25,031.26	2,250 00	1,517 14	3,767 14
Total.....		1,480.01	3,135 04	3,135 04	36,593.45	3,300 00	2,820 28	6,120 28
Duluth.....	First half.....	862.39	1,456 60	1,456 60	1,016.01	100 00	95 58	195 58
Duluth.....	Second half.....	1,030.24	1,691 43	1,691 43	1,199.90	120 00	80 00	200 00
Total.....		1,892.63	3,148 03	3,148 03	2,215.91	220 00	175 58	395 58
Litchfield.....	First half.....	406.58	1,010 48	1,010 48	11,378.98	934 00	746 68	1,680 68
Litchfield†.....	Second half.....							
Total.....		406.58	1,010 48	1,010 48	11,378.98	934 00	746 68	1,680 68
Detroit.....	First half.....	1,765.05	3,063 72	3,063 72	8,131.17	685 00	385 80	1,070 80
Detroit.....	Second half.....	648.24	1,305 34	1,305 34	12,318.42	1,060 00	594 78	1,654 78
Total.....		2,413.29	4,369 06	4,369 06	20,449.59	1,745 00	980 58	2,725 58

\*Office removed to Fergus Falls September 13, 1876.

†Office removed to Benson June 19, 1876.

States, Territories, and land offices.	Fiscal year 1877.	Quantity sold for cash and revolutionary bounty-land scrip at and above \$1.25 per acre, and amount received therefor, in the fiscal year ending June 30, 1877.		Amount received in cash and revolutionary bounty-land scrip, respectively, during the fiscal year ending June 30, 1877.		Quantity entered for homestead settlement, with the aggregate of \$5 and \$10 payments thereon, with registers' and receivers' commissions on the value of the lands entered, during the fiscal year ending June 30, 1877.			
		Acres.	Amount.	Cash.	Bounty-land scrip.	Acres.	\$5 and \$10 payments.	Registers' and receivers' commissions.	Aggregate of \$5 and \$10 payments and registers' and receivers' commissions.
MINNESOTA—Continued.									
Fergus Falls.....	First half.....	1, 225. 65	\$2, 411 18	\$2, 411 18	.....	12, 929. 69	\$960 00	\$1, 391 61	\$2, 351 81
Fergus Falls.....	Second half.....	794. 00	1, 103 17	1, 103 17	.....	16, 302. 82	1, 405 00	1, 307 12	2, 712 12
Total.....		2, 019. 65	3, 514 35	3, 514 35	.....	29, 232. 51	2, 365 00	2, 698 93	5, 063 93
New Ulm.....	First half.....	918. 00	1, 680 15	1, 680 15	.....	4, 645. 17	375 00	620 76	995 76
New Ulm.....	Second half.....	450. 68	1, 814 86	1, 814 86	.....	6, 137. 41	515 00	740 17	1, 255 17
Total.....		1, 368. 68	3, 495 01	3, 495 01	.....	10, 782. 58	890 00	1, 360 93	2, 250 93
Redwood Falls.....	First half.....	536. 42	897 31	897 31	.....	8, 015. 30	750 00	1, 002 24	1, 752 24
Redwood Falls.....	Second half.....	222. 56	612 75	612 75	.....	7, 637. 77	715 00	753 58	1, 468 58
Total.....		758. 98	1, 510 06	1, 510 06	.....	15, 653. 07	1, 465 00	1, 755 82	3, 220 82
Saint Cloud.....	First half.....	1, 472. 20	2, 249 33	2, 249 33	.....	9, 603. 74	845 00	1, 089 66	1, 934 66
Saint Cloud.....	Second half.....	1, 218. 34	1, 792 53	1, 792 53	.....	10, 414. 04	965 00	865 05	1, 830 05
Total.....		2, 690. 54	4, 041 86	4, 041 86	.....	20, 017. 78	1, 810 00	1, 954 71	3, 764 71
Taylor's Falls.....	First half.....	275. 74	386 30	386 30	.....	3, 458. 61	290 00	482 68	772 68
Taylor's Falls.....	Second half.....	1, 251. 19	1, 665 32	1, 665 32	.....	3, 773. 05	290 00	306 97	596 97
Total.....		1, 526. 93	2, 051 62	2, 051 62	.....	7, 231. 66	580 00	789 65	1, 369 65
Worthington.....	First half.....	1, 738. 84	4, 493 04	4, 493 04	.....	12, 176. 00	1, 095 00	1, 877 57	2, 972 57
Worthington.....	Second half.....	376. 59	1, 735 42	1, 735 42	.....	10, 518. 71	900 00	1, 568 00	2, 468 00
Total.....		2, 115. 43	6, 228 46	6, 228 46	.....	22, 694. 71	1, 995 00	3, 445 57	5, 440 57
Grand total.....		17, 510 87	33, 951 29	33, 951 29	.....	183, 880. 33	15, 924 00	17, 379 56	33, 303 56

MISSOURI.									
Booneville .....	First half .....	677.45	1,019 01	1,019 01	.....	5,148.53	455 00	671 76	1,126 76
Booneville .....	Second half .....	4,622.00	6,004 19	6,004 19	.....	5,446.41	521 00	720 90	1,241 90
Total .....	.....	5,299.45	7,023 20	7,023 20	.....	10,594.94	976 00	1,392 66	2,368 66
Ironton .....	First half .....	809.99	1,062 46	1,062 48	.....	5,246.91	400 00	654 94	1,054 94
Ironton .....	Second half .....	487.91	609 89	609 89	.....	8,909.23	670 00	905 22	1,575 22
Total .....	.....	1,297.90	1,672 37	1,672 37	.....	14,156.14	1,070 00	1,560 16	2,630 16
Springfield .....	First half .....	319.02	405 34	405 34	.....	5,170.16	420 00	1,002 00	1,422 00
Springfield .....	Second half .....	315.27	500 60	500 60	.....	7,742.94	605 00	1,038 00	1,663 00
Total .....	.....	634.29	905 94	905 94	.....	12,913.10	1,025 00	2,060 00	3,085 00
Grand total .....	.....	7,231.64	9,601 51	9,601 51	.....	37,664.18	3,071 00	5,012 82	8,083 82
MISSISSIPPI.									
Jackson .....	First half .....	130.02	162 52	162 52	.....	21,632.19	1,530 00	712 00	2,242 00
Jackson .....	Second half .....	124.22	162 15	162 15	.....	18,856.97	1,345 00	840 00	2,185 00
Total .....	.....	254.24	324 67	324 67	.....	40,489.16	2,875 00	1,552 00	4,427 00
MONTANA TERRITORY.									
Helena .....	First half .....	1,424.23	2,473 20	2,473 20	.....	2,105.56	140 00	204 00	344 00
Helena .....	Second half .....	2,164.54	3,688 52	3,688 52	.....	3,190.90	230 00	540 00	770 00
Total .....	.....	3,588.77	6,161 72	6,161 72	.....	5,296.46	370 00	744 00	1,114 00
Bozeman .....	First half .....	582.43	907 27	907 27	.....	400.00	40 00	261 00	301 00
Bozeman .....	Second half .....	1,521.35	1,901 69	1,901 69	.....	901.14	95 00	252 00	347 00
Total .....	.....	2,103.78	2,808 96	2,808 96	.....	1,301.14	135 00	513 00	648 00
Grand total .....	.....	5,692.55	8,970 68	8,970 68	.....	6,597.60	505 00	1,257 00	1,762 00
NEBRASKA.									
Beatrice .....	First half .....	167.53	818 83	818 83	.....	6,113.62	730 00	1,619 62	2,349 62
Beatrice .....	Second half .....	200.93	452 33	452 33	.....	4,740.93	525 00	1,613 31	2,138 31
Total .....	.....	368.46	1,271 16	1,271 16	.....	10,854.55	1,255 00	3,232 93	4,487 93
Bloomington .....	First half .....	1,083.07	2,368 35	2,368 35	.....	27,856.87	1,880 00	1,230 32	3,110 32
Bloomington .....	Second half .....	1,477.70	2,053 75	2,053 75	.....	16,517.32	1,710 00	1,435 08	3,145 08
Total .....	.....	2,560.77	4,422 10	4,422 10	.....	44,374.19	3,590 00	2,665 40	6,255 40

No. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, &amp;c.—Continued.

States, Territories, and land offices.	Fiscal year, 1877.	Quantity sold for cash and revolutionary bounty-land scrip at and above \$1.25 per acre, and amount received therefor, in the fiscal year ending June 30, 1877.		Amount received in cash and revolutionary bounty-land scrip, respectively, during the fiscal year ending June 30, 1877.		Quantity entered for homestead settlement, with the aggregate of \$5 and \$10 payments thereon, with registers' and receivers' commissions on the value of the lands entered, during the fiscal year ending June 30, 1877.			
		Acres.	Amount.	Cash.	Bounty-land scrip.	Acres.	\$5 and \$10 payments.	Registers' and receivers' commissions.	Aggregate of \$5 and \$10 payments and registers' and receivers' commissions.
Grand Island .....	First half .....	898.32	\$2,543 12	\$2,543 13	.....	22,405.94	\$1,995 00	\$2,535 32	\$4,530 32
Grand Island .....	Second half .....	992.14	1,914 90	1,914 90	.....	26,849.08	1,645 00	2,157 18	3,802 18
Total .....	.....	1,890.46	4,458 03	4,458 03	.....	49,255.02	3,640 00	4,692 50	8,332 50
Lincoln .....	First half .....	100.13	650 33	650 33	.....	11,678.23	1,399 00	4,446 09	5,845 09
Lincoln .....	Second half .....	• 16.56	224 78	224 78	.....	8,874.41	1,000 00	4,120 22	5,120 22
Total .....	.....	116.69	875 11	875 11	.....	20,552.64	2,399 00	8,566 31	10,965 31
Niobrara .....	First half .....	555.56	694 49	694 49	.....	7,770.64	490 00	610 00	1,100 00
Niobrara .....	Second half .....	475.55	594 87	594 87	.....	9,740.34	615 00	758 00	1,373 00
Total .....	.....	1,031.11	1,289 36	1,289 36	.....	17,510.98	1,105 00	1,368 00	2,473 00
Norfolk .....	First half .....	9.81	22 88	22 88	.....	7,279.98	475 00	1,005 79	1,480 79
Norfolk .....	Second half .....	493.85	832 51	832 51	.....	6,341.25	410 00	1,101 83	1,511 83
Total .....	.....	503.66	855 39	855 39	.....	13,621.23	885 00	2,107 62	2,992 62
North Platte .....	First half .....	503.25	944 12	944 12	.....	2,339.63	180 00	375 24	555 24
North Platte .....	Second half .....	570.31	1,349 53	1,349 53	.....	2,263.48	175 00	149 50	324 50
Total .....	.....	1,073.56	2,293 65	2,293 65	.....	4,603.11	355 00	524 74	879 74
Grand total .....	.....	7,544.71	15,464 80	15,464 80	.....	160,771.72	13,229 00	23,157 50	36,386 50
NEW MEXICO TERRITORY.									
La Mesilla .....	First half .....	633.01	791 27	791 27	.....	480.00	30 00	27 00	57 00
La Mesilla .....	Second half .....	480.00	520 00	520 00	.....	1,121.87	70 00	60 00	130 00
Total .....	.....	1,113.01	1,311 27	1,311 27	.....	1,601.87	100 00	87 00	187 00

Santa Fé.....	First half.....					1,360.00	90 00	60 00	150 00
Santa Fé.....	Second half.....	1.64	2 50	2 50		400.00	30 00	30 00	60 00
Total.....		1.64	2 50	2 50		1,760.00	120 90	90 00	210 00
Grand total.....		1,114.65	1,313 77	1,313 77		3,361.87	220 00	177 00	397 00
NEVADA.									
Carson City.....	First half.....	950.99	1,927 17	1,927 17		1,240.00	110 00	129 00	239 00
Carson City.....	Second half.....	19,440.86	9,258 69	9,258 69		1,080.00	110 00	126 00	236 00
Total.....		20,391.85	11,185 86	11,185 86		2,320.00	220 00	255 00	475 00
Eureka.....	First half.....	1,939.99	3,476 25	3,476 25		960.00	60 00	42 00	102 00
Eureka.....	Second half.....	3,214.03	3,148 50	3,148 50		980.75	65 00	45 00	110 00
Total.....		5,154.02	6,624 75	6,624 75		1,940.75	125 00	87 00	212 00
Elko.....	First half.....	260.04	685 32	685 32		400.00	30 00	18 00	48 00
Elko.....	Second half.....	430.05	1,143 75	1,143 75		560.00	56 00	53 45	109 45
Total.....		690.09	1,829 07	1,829 07		960.00	86 00	71 45	157 45
Pioche.....	First half.....	3.67	20 00	20 00					
Pioche.....	Second half.....								
Total.....		3.67	20 00	20 00					
Grand total.....		26,239.63	19,659 68	19,659 68		5,226.75	431 00	413 45	844 45
OHIO.									
Chillicothe.....	First half.....	11.47	137 64	137 64		40.00	5 00	31 94	36 94
Chillicothe.....	Second half.....								
Total.....		11.47	137 64	137 64		40.00	5 00	31 94	36 94
OREGON.									
La Grande.....	First half.....	3,287.92	5,033 17	5,033 17		3,428.60	220 00	375 00	595 00
La Grande.....	Second half.....	3,654.15	3,181 84	3,181 84		7,235.10	560 00	524 48	1,084 48
Total.....		6,942.07	8,215 01	8,215 01		10,663.70	780 00	899 48	1,679 48
The Dalles.....	First half.....	1,031.99	1,440 24	1,440 24		4,365.05	345 00	386 05	731 05
The Dalles.....	Second half.....	1,600.67	2,504 80	2,504 80		4,160.00	350 00	340 12	690 12
Total.....		2,632.66	3,945 04	3,945 04		8,525.05	695 00	726 17	1,421 17
Linkville.....	First half.....	1,341.72	2,072 89	2,072 89		2,417.60	155 00	90 66	245 66
Linkville.....	Second half.....	395.13	493 92	493 92		1,621.32	105 00	66 81	171 81
Total.....		1,736.85	2,566 81	2,566 81		4,038.92	260 00	157 47	417 47

\* Office closed September 30, 1876. Commissioner of General Land Office ex-officio register and receiver, act of March 3, 1877.

No. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, &amp;c.—Continued.

States, Territories, and land offices.	Fiscal year 1877.	Quantity sold for cash and revolutionary bounty-land scrip at and above \$1.25 per acre, and amount received therefor, in the fiscal year ending June 30, 1877.		Amount received in cash and revolutionary bounty-land scrip, respectively, during the fiscal year ending June 30, 1877.		Quantity entered for homestead settlement, with the aggregate of \$5 and \$10 payments thereon, with registers' and receivers' commissions on the value of the lands entered, during the fiscal year ending June 30, 1877.			
		Acres.	Amount.	Cash.	Bounty-land scrip.	Acres.	\$5 and \$10 payments.	Registers' and receivers' commissions.	Aggregate of \$5 and \$10 payments and registers' and receivers' commissions.
OREGON—Continued.									
Oregon City.....	First half .....	1,603.74	\$3,483 87	\$3,483 87	.....	11,611.59	\$1,330 00	\$1,399 83	\$2,729 83
Oregon City.....	Second half .....	1,438.71	2,566 84	2,566 84	.....	14,247.64	1,315 00	1,399 33	2,714 33
Total .....	.....	3,042.45	6,050 71	6,050 71	.....	25,859.23	2,645 00	2,799 16	5,444 16
Roseburg .....	First half .....	2,627.48	4,411 91	4,411 91	.....	8,851.24	645 00	943 99	1,588 99
Roseburg .....	Second half .....	4,133.27	6,037 16	6,037 16	.....	10,559.90	790 00	792 21	1,582 21
Total .....	.....	6,760.75	10,449 07	10,449 07	.....	19,411.14	1,435 00	1,736 20	3,171 20
Grand total .....	.....	21,114.78	31,226 64	31,226 64	.....	68,493.04	5,815 00	6,318 48	12,133 48
UTAH TERRITORY.									
Beaver City.....	First half .....	949.57	1,186 96	1,186 96	.....	2,966.37	190 00	179 44	369 44
Beaver City.....	Second half .....	320.28	400 32	400 32	.....	1,040.00	65 00	63 00	128 00
Total .....	.....	1,269.85	1,587 28	1,587 28	.....	4,006.37	255 00	242 44	497 44
Salt Lake City.....	First half .....	4,137.90	5,968 96	5,968 96	.....	16,838.24	1,225 00	966 27	2,191 27
Salt Lake City.....	Second half .....	50,148.79	26,756 03	26,756 03	.....	40,044.82	3,010 00	2,791 50	5,801 50
Total .....	.....	54,286.69	32,724 99	32,724 99	.....	56,883.06	4,235 00	3,757 77	7,992 77
Grand total .....	.....	55,556.54	34,312 27	34,312 27	.....	60,889.43	4,490 00	4,000 21	8,490 21
WASHINGTON TERRITORY.									
Olympia .....	First half .....	7,563.88	15,982 74	15,982 74	.....	7,842.31	695 00	859 50	1,554 50
Olympia .....	Second half .....	5,279.06	13,244 41	13,244 41	.....	9,700.02	860 00	960 00	1,820 00
Total .....	.....	12,842.94	29,227 15	29,227 15	.....	17,542.33	1,555 00	1,819 50	3,374 50



Vancouver.....	First half .....	292 58	1,260 54	1,260 54	5,193.08	505 00	829 35	1,334 35
Vancouver.....	Second half .....	298 80	715 83	715 83	5,215.92	575 00	665 42	1,240 42
Total .....		591.38	1,976 37	1,976 37	10,409.00	1,080 00	1,494 77	2,574 77
Walla Walla.....	First half .....	6,348.82	11,895 84	11,895 84	7,922.38	610 00	534 00	1,144 00
Walla Walla.....	Second half .....	4,930.32	11,452 61	11,452 61	18,929.60	1,395 00	1,094 00	2,489 00
Total .....		11,279.14	23,348 45	23,348 45	26,851.98	2,005 00	1,628 00	3,633 00
Grand total.....		24,713.46	54,551 97	54,551 97	54,803.31	4,640 00	4,942 27	9,582 27
WISCONSIN.								
Bayfield.....	First half .....	1,027.08	2,033 00	2,033 00	797.00	90 00	43 85	133 85
Bayfield.....	Second half .....	640.00	1,250 00	1,250 00	686.07	60 00	31 05	91 05
Total .....		1,667.08	3,283 00	3,283 00	1,483.07	150 00	74 90	224 90
Eau Claire.....	First half .....	1,499.37	2,253 93	2,253 93	13,960.15	1,220 00	1,066 23	2,286 23
Eau Claire.....	Second half .....	1,783.71	2,700 44	2,700 44	13,265.96	1,140 00	911 94	2,051 94
Total .....		3,283.08	4,954 37	4,954 37	27,226.11	2,360 00	1,978 17	4,338 17
Falls Saint Croix.....	First half .....	1,434.38	3,266 17	3,266 17	10,568.25	930 00	915 32	1,845 32
Falls Saint Croix.....	Second half .....	1,722.28	3,821 02	3,821 02	8,172.66	745 00	697 71	1,442 71
Total .....		3,156.66	7,087 19	7,087 19	18,740.91	1,675 00	1,613 03	3,288 03
La Crosse.....	First half .....	2,177.39	3,274 14	3,274 14	10,412.10	825 00	928 39	1,753 39
La Crosse.....	Second half .....	3,918.29	5,147 86	5,147 86	11,331.76	900 00	713 36	1,613 36
Total .....		6,095.68	8,422 00	8,422 00	21,743.86	1,725 00	1,641 75	3,366 75
Menasha.....	First half .....	3,451.55	4,745 33	4,745 33	5,071.27	375 00	238 94	613 94
Menasha.....	Second half .....	6,203.65	8,105 86	8,105 86	4,825.44	345 00	210 79	555 79
Total .....		9,655.20	12,850 99	12,850 99	9,896.71	720 00	449 73	1,169 73
Wausau.....	First half .....	2,961.34	3,994 00	3,994 00	6,836.81	605 00	430 95	1,035 95
Wausau.....	Second half .....	554.98	1,138 56	1,138 56	8,012.99	715 00	504 87	1,219 87
Total .....		3,516.32	5,132 56	5,132 56	14,849.80	1,320 00	935 82	2,255 82
Grand total.....		27,374.02	41,730.11	41,730.11	93,940.46	7,950 00	6,693 40	14,643 40
WYOMING TERRITORY.								
Cheyenne.....	First half .....	760.00	1,500 00	1,500 00	1,520.00	110 00	84 00	194 00
Cheyenne.....	Second half .....	1,196.00	5,102 50	5,102 50	1,680.00	140 00	144 00	284 00
Total .....		1,956.00	6,602 50	6,602 50	3,200.00	250 00	228 00	478 00
Grand total.....		740,686.57	969,317 04	961,481 10	\$7,835 94	2,178,098.17	168,024 00	165,404 34

No. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, &amp;c.—Continued.

States, Territories, and land offices.	Fiscal year 1877.	Quantity entered under timber-culture acts of March 3, 1873, and March 13, 1874, (Revised Statutes, section 2464.) with amount received as fees and commissions thereon.				Quantity located with agricultural college scrip, and registers' and receivers' commissions on the value of the land embraced by the locations.		Aggregate area disposed of, with amount received therefor, including \$5 and \$10 payments and registers' and receivers' commissions.		Incidental expenses.
		Acres.	Fees.	Commis- sions.	Aggregate.	Acres.	Amount.	Acres.	Amount.	
ALABAMA.										
Huntsville .....	First half .....							35,899.65	\$4,421 74	\$1,984 32
Huntsville .....	Second half .....							35,756.13	4,935 20	1,970 11
Total .....								71,655.78	9,356 94	3,954 43
Montgomery .....	First half .....							15,937.41	2,416 20	1,878 35
Montgomery .....	Second half .....							17,153.19	2,517 15	1,724 39
Total .....								33,090.60	4,933 35	3,602 74
Mobile .....	First half .....							6,741.67	1,071 00	1,009 50
Mobile .....	Second half .....							9,617.94	1,452 15	1,033 59
Total .....								16,359.61	2,523 15	2,043 09
Grand total .....								121,105.99	16,813 44	9,600 26
ARKANSAS.										
Camden .....	First half .....							24,477.80	3,876 32	2,170 00
Camden .....	Second half .....							24,518.83	3,115 77	2,102 92
Total .....								48,996.63	6,992 09	4,272 92
Dardanelle .....	First half .....							12,951.98	2,513 07	1,808 85
Dardanelle .....	Second half .....							15,978.00	2,950 75	1,977 70
Total .....								28,929.98	5,463 82	3,786 55
Harrison .....	First half .....							13,570.64	1,919 41	1,405 23
Harrison .....	Second half .....							27,480.34	3,387 05	1,968 62
Total .....								41,050.98	5,306 46	3,373 85

Little Rock	First half							14,764.92	3,337.03	2,252.02
Little Rock	Second half							18,382.82	2,856.73	2,668.71
Total								33,147.74	6,193.76	4,920.73
Grand total								152,125.33	23,956.13	16,354.05
ARIZONA.										
Florence	First half	1,080.00	\$30.00	\$32.00	\$112.00			3,483.10	2,981.50	396.57
Florence	Second half	1,240.00	100.00	40.00	140.00			38,908.36	10,970.50	952.42
Total		2,320.00	150.00	72.00	252.00			42,391.46	13,952.00	1,348.99
Prescott	First half	40.00	10.00	4.00	14.00			3,654.27	3,695.25	1,144.20
Prescott	Second half	80.00	20.00	8.00	28.00			6,455.81	2,993.85	984.68
Total		120.00	30.00	12.00	42.00			10,110.08	6,689.10	2,128.88
Grand total		2,440.00	210.00	84.00	294.00			52,501.54	20,641.10	3,477.87
CALIFORNIA.										
Humboldt	First half							51,788.42	56,533.27	2,007.32
Humboldt	Second half							30,981.59	25,895.88	2,398.07
Total								82,770.01	82,429.15	4,405.39
Independence	First half	160.00	20.00	8.00	28.00			3,305.70	4,023.85	835.82
Independence	Second half	40.00	10.00	4.00	14.00			9,464.85	3,830.24	993.10
Total		200.00	30.00	12.00	42.00			12,770.55	7,854.09	1,828.92
Los Angeles	First half	40.17	10.00	4.00	14.00			9,863.40	9,936.34	1,379.10
Los Angeles	Second half	40.00	10.00	4.00	14.00			50,059.49	19,843.64	1,655.67
Total		80.17	20.00	8.00	28.00			59,922.89	29,779.98	3,034.77
Marysville	First half							37,722.28	47,477.37	3,026.50
Marysville	Second half							35,772.92	65,360.23	3,139.01
Total								73,495.20	112,837.60	6,165.51
San Francisco	First half					320.00	12.00	32,664.53	29,200.54	3,000.00
San Francisco	Second half							30,001.09	15,858.22	3,736.50
Total						320.00	12.00	62,665.92	45,058.76	6,736.50
Sacramento	First half							25,018.23	29,814.55	3,278.17
Sacramento	Second half					160.00	4.00	28,296.79	28,059.20	3,140.26
Total						160.00	4.00	53,315.02	57,873.75	6,418.43

No. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, &c.—Continued.

States, Territories, and land offices.	Fiscal year 1877.	Quantity entered under timber-culture acts of March 3, 1873, and March 13, 1874, (Revised Statutes, section 2464,) with amount received as fees and commissions thereon.				Quantity located with agricultural college scrip, and registers' and receivers' commissions on the value of the land embraced by the locations.		Aggregate area disposed of, with amount received therefor, including \$5 and \$10 payments and registers' and receivers' commissions.		Incidental expenses.
		Acres.	Fees.	Commissions.	Aggregate.	Acres.	Amount.	Acres.	Amount.	Amount.
CALIFORNIA—Continued.										
Stockton .....	First half .....	180.00	\$10 00	\$4 00	\$14 00	.....	.....	25,250.83	\$25,513 53	\$2,393 02
Stockton .....	Second half .....	147.85	10 00	4 00	14 00	.....	.....	24,624.85	23,226 47	3,055 65
Total .....	.....	307.85	20 00	8 00	28 00	.....	.....	49,875.68	48,800 00	5,448 67
Shasta .....	First half .....	.....	.....	.....	.....	.....	.....	5,665.08	8,548 04	1,607 85
Shasta .....	Second half .....	320.00	20 00	8 00	28 00	.....	.....	12,166.37	12,040 84	1,509 25
Total .....	.....	320.00	20 00	8 00	28 00	.....	.....	17,831.45	20,588 88	3,117 10
Susanville .....	First half .....	.....	.....	.....	.....	.....	.....	16,799.59	16,409 63	1,733 20
Susanville .....	Second half .....	.....	.....	.....	.....	.....	.....	28,432.92	16,213 53	3,155 28
Total .....	.....	.....	.....	.....	.....	.....	.....	45,232.51	32,623 16	4,888 48
Visalia .....	First half .....	6,177.48	410 00	164 00	574 00	160.00	\$4 00	30,432.10	28,993 41	3,189 10
Visalia .....	Second half .....	3,820.55	260 00	104 00	364 00	.....	.....	124,630.85	45,716 40	3,062 05
Total .....	.....	9,998.03	670 00	268 00	938 00	160.00	4 00	155,062.95	74,709 81	6,251 15
Grand total .....	.....	10,906.05	760 00	304 00	1,064 00	640.00	20 00	612,942.18	512,555 18	48,294 92
COLORADO.										
Central City .....	First half .....	.....	.....	.....	.....	.....	.....	2,117.32	3,893 59	1,555 70
Central City .....	Second half .....	.....	.....	.....	.....	.....	.....	723.27	1,977 48	1,281 06
Total .....	.....	.....	.....	.....	.....	.....	.....	2,840.59	5,871 07	2,836 76
Denver City .....	First half .....	474.00	40 00	16 00	56 00	.....	.....	12,031.03	8,649 69	2,232 29
Denver City .....	Second half .....	909.33	80 00	32 00	112 00	320.00	8 00	9,188.50	6,254 33	2,808 62
Total .....	.....	1,383.33	120 00	48 00	168 00	320.00	8 00	21,219.53	14,904 02	5,040 91

Del Norte	First half	560.00	60 00	24 00	84 00			8,632.87	7,020 50	1,245 78
Del Norte	Second half	440.00	40 00	16 00	56 00			10,400.81	9,282 69	1,837 46
Total		1,000.00	100 00	40 00	140 00			19,033.68	16,303 19	3,083 24
Fair Play	First half							4,791.39	6,093 94	1,096 69
Fair Play	Second half							4,888.23	4,548 49	2,357 92
Total								9,679.62	10,642 43	3,454 61
Pueblo	First half	320.00	20 00	8 00	28 00			10,835.19	7,833 94	1,448 02
Pueblo	Second half	320.00	20 00	8 00	28 00			10,274.28	5,157 28	2,026 11
Total		640.00	40 00	16 00	56 00			21,109.47	12,991 22	3,474 13
Grand total		3,023.33	260 00	104 00	364 00	320.00	8 00	73,882.89	60,711 93	17,889 65
DAKOTA TERRITORY.										
Bismarck	First half	160.00	20 00	8 00	28 00			1,555.34	1,929 85	624 00
Bismarck	Second half	1,317.66	90 00	36 00	126 00			2,436.38	1,208 80	688 65
Total		1,477.66	110 00	44 00	154 00			3,991.72	3,138 65	1,312 65
Fargo	First half	6,665.69	450 00	180 00	630 00			15,059.86	5,090 46	1,776 86
Fargo	Second half	13,332.13	910 00	364 00	1,274 00			29,764.38	7,489 07	2,063 03
Total		19,997.82	1,360 00	544 00	1,904 00			44,824.24	12,579 53	3,839 89
Sioux Falls	First half	16,939.53	1,170 00	468 00	1,638 00			50,455.88	15,775 76	3,219 28
Sioux Falls	Second half	11,052.65	740 00	296 00	1,036 00			37,945.57	10,256 43	2,627 04
Total		27,992.18	1,910 00	764 00	2,674 00			88,401.45	26,032 19	5,846 32
Springfield	First half	3,247.34	220 00	88 00	308 00			15,450.10	4,736 39	1,192 96
Springfield	Second half	3,916.00	250 00	100 00	350 00			11,774.96	1,702 65	1,347 45
Total		7,163.34	470 00	188 00	658 00			27,225.06	6,439 04	2,540 41
Yankton	First half	6,399.72	470 00	188 00	658 00			27,906.38	7,051 55	1,772 75
Yankton	Second half	5,158.20	430 00	172 00	602 00	160.00	4 00	20,206.31	4,634 69	1,535 95
Total		11,557.92	900 00	360 00	1,260 00	160.00	4 00	48,112.69	11,686 24	3,308 70
Grand total		68,188.92	4,750 00	1,900 00	6,650 00	160.00	4 00	212,555.16	59,875 65	16,847 97
FLORIDA.										
Gainesville	First half							87,218.14	13,598 97	3,635 78
Gainesville	Second half							99,335.65	17,761 97	3,543 90
Total								186,553.79	31,360 94	7,179 68

No. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, &amp;c.—Continued.

States, Territories, and land offices.	Fiscal year 1877.	Quantity entered under timber-culture acts of March 3, 1873, and March 13, 1874, (Revised Statutes, section 2464,) with amount received as fees and commissions thereon.				Quantity located with agricultural college scrip, and registers' and receivers' commissions on the value of the land embraced by the locations.		Aggregate area disposed of, with amount received therefor, including \$5 and \$10 payments and registers' and receivers' commissions.		Incidental expenses.
		Acres.	Fees.	Commissions.	Aggregate.	Acres.	Amount.	Acres.	Amount.	
IDAHO TERRITORY.										
Boise City .....	First half .....	946.70	\$80 00	\$32 00	\$112 00	.....	.....	13,421.76	\$3,587 87	\$1,732 56
Boise City .....	Second half .....	200.00	30 00	12 00	42 00	.....	.....	8,789.78	2,351 65	990 93
Total .....	.....	1,146.70	110 00	44 00	154 00	.....	.....	22,211.54	5,939 52	2,723 49
Lewiston .....	First half .....	.....	.....	.....	.....	.....	.....	533.15	488 44	349 37
Lewiston .....	Second half .....	5,889.21	410 00	164 00	574 00	.....	.....	17,770.73	4,655 38	1,338 02
Total .....	.....	5,889.21	410 00	164 00	574 00	.....	.....	18,303.88	5,143 82	1,687 39
Grand total .....	.....	7,035.91	520 00	208 00	728 00	.....	.....	40,515.42	11,083 34	4,410 88
IOWA.										
Des Moines .....	First half .....	40.00	10 00	4 00	14 00	.....	.....	1,222.00	1,182 54	732 52
Des Moines .....	Second half .....	40.00	10 00	4 00	14 00	.....	.....	1,170.45	1,177 87	1,297 39
Total .....	.....	80.00	20 00	8 00	28 00	.....	.....	2,392.45	2,360 41	2,029 91
Sioux City .....	First half .....	3,499.12	410 00	164 00	574 00	.....	.....	7,096.00	3,810 70	3,100 00
Sioux City .....	Second half .....	1,212.64	160 00	64 00	224 00	.....	.....	2,739.03	2,953 93	3,000 00
Total .....	.....	4,711.76	570 00	228 00	798 00	.....	.....	9,835.03	6,764 63	6,100 00
Grand total .....	.....	4,791.76	590 00	236 00	826 00	.....	.....	12,227.48	9,125 04	8,129 91
ILLINOIS.										
Springfield* .....	First half .....	.....	.....	.....	.....	.....	.....	452.55	734 08	133 34
Springfield* .....	Second half .....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total .....	.....	.....	.....	.....	.....	.....	.....	452.55	734 08	133 34
INDIANA.										
Indianapolis* .....	First half .....	.....	.....	.....	.....	.....	.....	227.88	284 82	302 18

Indianapolis*	Second half							304 50	67 27	
Total								532 38	352 09	302 18
KANSAS.										
Concordia	First half	14,913.55	1,170 00	468 00	1,638 00			56,632.04	9,977 79	3,157 80
Concordia	Second half	15,892.00	1,170 00	463 00	1,638 00			63,264.15	14,699 20	3,072 05
Total		30,805.55	2,340 00	936 00	3,276 00			119,902.19	24,676 99	6,229 85
Hays City	First half	13,859.09	890 00	356 00	1,246 00			43,524.09	8,101 56	2,758 35
Hays City	Second half	16,569.86	1,050 00	420 00	1,470 00			52,205.43	5,213 03	2,301 33
Total		30,428.95	1,940 00	776 00	2,716 00			75,729.52	13,314 59	5,059 68
Independence	First half							720.27	384.36	3,194 50
Independence	Second half							1,010.99	601 48	3,000 00
Total								1,731.26	985 84	6,194 50
Kirwin	First half	17,285.75	1,160 00	464 00	1,624 00			58,666.49	8,000 96	3,146 70
Kirwin	Second half	20,369.41	1,410 00	564 00	1,974 00			63,557.39	9,150 28	3,147 30
Total		37,655.16	2,570 00	1,028 00	3,598 00			122,223.88	17,151 24	6,294 00
Larned	First half	35,793.51	2,320 00	928 00	3,248 00			86,678.34	14,237 21	3,322 50
Larned	Second half	41,552.43	2,700 00	1,080 00	3,780 00			102,407.91	16,232 69	3,000 00
Total		77,345.94	5,020 00	2,008 00	7,028 00			189,086.25	30,469 90	6,322 50
Salina	First half	20,050.47	1,520 00	608 00	2,128 00			61,694.39	21,708 47	3,410 55
Salina	Second half	22,045.47	1,610 00	644 00	2,254 00			57,829.59	13,929 62	3,705 60
Total		42,095.94	3,130 00	1,252 00	4,382 00			119,523.98	35,638 09	7,116 15
Topeka	First half	434.61	70 00	28 00	98 00			8,310.07	7,882 01	1,875 95
Topeka	Second half	40.00	10 00	4 00	14 00			2,252.34	999 88	1,288 80
Total		474.61	80 00	32 00	112 00			10,562.41	8,881 89	3,164 75
Wichita	First half	11,207.76	840 00	336 00	1,176 00			39,859.28	9,675 34	3,182 50
Wichita	Second half	8,006.83	610 00	244 00	854 00			27,814.75	9,114 43	2,941 65
Total		19,214.59	1,450 00	580 00	2,030 00			67,674.03	18,789 77	6,124 15
Grand total		238,020.74	16,530 00	6,612 00	23,142 00			706,433.52	149,908 31	46,205 58

\* Office closed September 30, 1876. Commissioner of General Land Office ex-officio register and receiver, act of March 3, 1877.



No. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, &c.—Continued.

States, Territories, and land offices.	Fiscal year 1877.	Quantity entered under timber-culture acts of March 3, 1873, and March 13, 1874, (Revised Statutes, section 2464,) with amount received as fees and commissions thereon.				Quantity located with agricultural college scrip, and registers' and receivers' commissions on the value of the land embraced by the locations.		Aggregate area disposed of, with amount received therefor, including \$5 and \$10 payments and registers' and receivers' commissions.		Incidental expenses.
		Acres.	Fees.	Commissions.	Aggregate.	Acres.	Amount.	Acres.	Amount.	
LOUISIANA.										
New Orleans.....	First half.....							17,151.21	\$2,863 79	\$1,571 34
New Orleans.....	Second half.....							21,052.01	2,576 00	1,811 90
Total .....								38,203.22	5,439 79	3,383 24
Natchitoches .....	First half.....							5,123.54	1,196 09	1,147 36
Natchitoches .....	Second half.....							3,390.07	662 77	852 88
Total .....								8,513.61	1,858 86	2,000 24
Monroe .....	First half .....							5,195.96	837 63	773 99
Monroe .....	Second half.....							1,202.71	179 37	600 00
Total .....								6,398.67	1,017 00	1,373 99
Grand total .....								53,115.50	8,315 65	6,757 47
MICHIGAN.										
Detroit .....	First half.....							5,771.82	965 82	1,043 45
Detroit .....	Second half.....							6,337.60	9,848 05	1,320 20
Total .....								12,109.42	10,813 87	2,363 65
East Saginaw.....	First half.....							5,066.48	1,815 43	843 68
East Saginaw.....	Second half.....							4,129.18	1,191 43	802 04
Total .....								9,195.66	3,006 86	1,645 72
Ionia .....	First half.....							4,991.18	2,602 57	1,299 21
Ionia .....	Second half.....							5,375.93	1,592 64	1,120 90
Total .....								10,367.11	4,195 21	2,420 11
Marquette .....	First half.....							10,450.38	6,721 46	1,041 10

Marquette.....	Second half.....							10,957.42	4,629.48	959.94
Total.....								21,407.80	10,750.94	2,001.04
Traverse City.....	First half.....							23,392.71	6,349.22	2,443.16
Traverse City.....	Second half.....							37,223.61	6,880.24	2,768.20
Total.....								60,616.32	13,229.46	5,211.36
Grand total.....								113,626.31	41,996.34	13,641.88
MINNESOTA.										
Alexandria.....	First half.....	3,363.37	\$270.00	\$108.00	\$378.00			11,831.61	3,096.15	348.78
Alexandria *.....	Second half.....									
Total.....		3,363.37	270.00	108.00	378.00			11,831.61	3,096.15	348.78
Benson.....	First half.....	4,589.80	380.00	152.00	532.00			16,947.69	4,146.35	1,540.00
Benson.....	Second half.....	11,806.71	850.00	340.00	1,190.00			37,522.28	6,830.97	3,000.00
Total.....		16,396.51	1,230.00	492.00	1,722.00			54,469.97	10,977.32	4,540.00
Duluth.....	First half.....							1,878.40	1,652.18	787.22
Duluth.....	Second half.....							2,230.14	1,891.43	818.58
Total.....								4,108.54	3,543.61	1,605.80
Litchfield.....	First half.....	6,849.00	520.00	208.00	728.00			18,634.56	3,419.16	1,653.70
Litchfield.....	Second half.....									
Total.....		6,849.00	520.00	208.00	728.00			18,634.56	3,419.16	1,653.70
Detroit.....	First half.....	478.36	30.00	12.00	42.00			10,374.58	4,176.52	1,272.17
Detroit.....	Second half.....	4,296.25	290.00	116.00	406.00			17,262.91	3,366.12	2,129.63
Total.....		4,774.61	320.00	128.00	448.00			27,637.49	7,542.64	3,401.80
Fergus Falls.....	First half.....	1,746.25	150.00	60.00	210.00			15,901.59	4,972.99	2,803.63
Fergus Falls.....	Second half.....	3,382.11	250.00	100.00	350.00			20,478.93	4,165.29	2,376.96
Total.....		5,128.36	400.00	160.00	560.00			36,380.52	9,138.28	5,179.59
New Ulm.....	First half.....	2,198.15	200.00	80.00	280.00			7,761.32	2,955.91	1,470.10
New Ulm.....	Second half.....	5,192.76	370.00	148.00	518.00			11,780.85	3,588.03	2,356.46
Total.....		7,390.91	570.00	228.00	798.00			19,542.17	6,543.94	3,826.56

\* Office removed to Fergus Falls September 13, 1876.

† Office removed to Benson June 19, 1876.

No. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, &amp;c.—Continued.

States, Territories, and land-offices.	Fiscal year 1877.	Quantity entered under timber-culture acts of March 3, 1873, and March 13, 1874, (Revised Statutes, section 2464,) with amount received as fees and commissions thereon.				Quantity located with agricultural college scrip, and registers' and receivers' commissions on the value of the land embraced by the locations.		Aggregate area disposed of, with amount received therefor, including \$5 and \$10 payments, and registers' and receivers' commissions.		Incidental expenses.
		Acres.	Fees.	Commissions.	Aggregate.	Acres.	Amount.	Acres.	Amount.	
MINNESOTA—Continued.										
Redwood Falls	First half	4,038.80	\$320 00	\$128 00	\$448 00			12,590.52	\$3,097 55	\$1,768 45
Redwood Falls	Second half	5,981.50	470 00	188 00	658 00			13,841.83	2,739 33	1,686 30
Total		10,020.30	790 00	316 00	1,106 00			26,432.35	5,836 88	3,454 75
Saint Cloud	First half							11,075.94	4,183 99	1,950 34
Saint Cloud	Second half							11,632.38	3,622 58	1,696 88
Total								22,708.32	7,806 57	3,647 22
Taylor's Falls	First half							3,734.35	1,158 98	1,094 15
Taylor's Falls	Second half							5,024.24	2,262 29	903 53
Total								8,758.59	3,421 27	1,997 68
Worthington	First half	11,559.52	810 00	324 00	1,134 00			25,474.36	8,599 61	2,250 00
Worthington	Second half	10,537.91	780 00	312 00	1,092 00			21,433.21	5,295 42	3,821 55
Total		22,097.43	1,590 00	636 00	2,226 00			46,907.57	13,895 03	6,071 55
Grand total		76,020.49	5,690 00	2,276 00	7,966 00			277,411.69	75,220 85	35,726 65
MISSOURI.										
Boonville	First half							5,825.98	2,145 77	1,696 51
Boonville	Second half							10,068.41	7,246 09	1,935 58
Total								15,894.39	9,391 86	3,632 09
Ironton	First half							6,056.90	2,117 42	1,276 49
Ironton	Second half							9,397.14	2,185 11	1,462 77
Total								15,454.04	4,302 53	2,739 26
Springfield	First half							5,489.18	1,827 34	1,353 04
Springfield	Second half							8,058.21	2,163 60	2,102 12

Total							13,547.39	3,990.94	3,455.16
Grand total							44,895.82	17,685.33	9,826.51
MISSISSIPPI.									
Jackson	First half						21,762.21	2,404.52	1,670.12
Jackson	Second half						18,981.19	2,347.15	1,824.40
Total							40,743.40	4,751.67	3,494.52
MONTANA TERRITORY.									
Helena	First half						3,529.79	2,817.20	1,112.50
Helena	Second half						5,355.44	4,458.52	2,059.32
Total							8,885.23	7,275.72	3,171.82
Bozeman	First half	158.59	10.00	4.00	14.00		1,141.02	1,222.27	813.14
Bozeman	Second half	240.00	20.00	8.00	28.00		2,662.49	2,276.69	737.02
Total		398.59	30.00	12.00	42.00		3,803.51	3,498.96	1,550.16
Grand total		398.59	30.00	12.00	42.00		12,688.74	10,774.68	4,721.98
NEBRASKA.									
Beatrice	First half	1,769.23	190.00	76.00	266.00		8,050.38	3,434.45	2,302.88
Beatrice	Second half	3,187.69	300.00	120.00	420.00		8,129.55	3,010.64	2,337.50
Total		4,956.92	490.00	196.00	686.00		16,179.93	6,445.09	4,640.38
Bloomington	First half	19,585.46	1,280.00	512.00	1,792.00		48,525.40	7,270.67	2,656.77
Bloomington	Second half	11,847.88	850.00	340.00	1,190.00		29,842.90	6,388.83	2,831.34
Total		31,433.34	2,130.00	852.00	2,982.00		78,368.30	13,659.50	5,488.11
Grand Island	First half	12,131.38	950.00	380.00	1,330.00		35,435.64	8,403.45	3,000.00
Grand Island	Second half	5,937.87	680.00	272.00	952.00		33,779.09	6,669.08	3,122.10
Total		18,069.25	1,630.00	652.00	2,282.00		69,214.73	15,072.53	6,122.10
Lincoln	First half	7,982.39	790.00	316.00	1,106.00		19,760.75	7,601.42	3,072.60
Lincoln	Second half	6,891.92	630.00	252.00	882.00		15,782.89	6,227.00	3,000.00
Total		14,874.31	1,420.00	568.00	1,988.00		35,543.64	13,828.42	6,072.60
Niobrara	First half	2,463.84	190.00	76.00	266.00		10,790.04	2,060.49	1,621.74
Niobrara	Second half	5,064.37	360.00	144.00	504.00		15,280.26	2,471.87	1,660.88
Total		7,528.21	550.00	220.00	770.00		26,070.30	4,532.36	3,282.62

No. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, &amp;c.—Continued.

States, Territories, and land offices.	Fiscal year 1877.	Quantity entered under timber-culture acts of March 3, 1873, and March 13, 1874, (Revised Statutes, section 2464,) with amount received as fees and commissions thereon.				Quantity located with agricultural-college scrip, and registers' and receivers' commissions on the value of the land embraced by the locations.		Aggregate area disposed of, with amount received therefor, including \$5 and \$10 payments and registers' and receivers' commissions.		Land and bounty expenses.
		Acres.	Fees.	Commissions.	Aggregate.	Acres.	Amount.	Acres.	Amount.	
NEBRASKA—Continued.										
Norfolk	First half	3,358.81	\$310 00	\$124 00	\$434 00			10,648.60	\$1,937 67	\$1,855 24
Norfolk	Second half	2,477.89	190 00	76 00	266 00			9,312.99	2,610 34	1,795 36
Total		5,836.70	500 00	200 00	700 00			19,961.59	4,548 01	3,650 60
North Platte	First half	2,483.35	180 00	72 00	252 00			5,326.23	1,751 36	1,222 40
North Platte	Second half	1,751.00	110 00	44 00	154 00			4,584.79	1,428 03	776 73
Total		4,234.35	290 00	116 00	406 00			9,911.02	3,579 39	1,999 13
Grand total		86,933.08	7,010 00	2,804 00	9,814 00			255,249.51	61,665 30	31,255 54
NEW MEXICO:										
La Mesilla	First half							1,113.01	848 27	1,025 32
La Mesilla	Second half							1,601.87	650 00	441 40
Total								2,714.88	1,498 27	1,466 72
Santa Fé	First half							1,364.00	150 00	691 40
Santa Fé	Second half							401.64	62 50	349 16
Total								1,761.64	212 50	1,040 56
Grand total								4,476.52	1,710 77	2,507 28
NEVADA.										
Carson City	First half	240.00	20 00	8 00	28 00			2,430.99	2,194 17	1,146 54
Carson City	Second half							20,520.86	9,494 69	1,741 91
Total		240.00	20 00	8 00	28 00			22,951.85	11,688 86	2,888 45
Eureka	First half							2,899.99	3,578 25	1,195 47
Eureka	Second half							4,194.78	3,258 50	854 01
Total								7,094.77	6,836 75	2,049 48

Elko.....	First half.....						660.04	733 32	860 98
Elko.....	Second half.....						990.05	1,253 20	709 73
Total.....							1,650.09	1,986 52	1,570 71
Pioche.....	First half.....						3.67	20 00	531 72
Pioche.....	Second half.....								125 00
Total.....							3.67	20 00	656 72
Grand total.....		240.00	20 00	8 00	28 00		31,700.38	20,532 13	7,165 36
OHIO.									
Chillicothe.....	First half.....						51.47	174 58	334 68
Chillicothe.....	Second half.....								
Total.....							51.47	174 58	334 68
OREGON.									
La Grande.....	First half.....	895.98	70 00	28 00	98 00		7,612.50	5,726 17	1,427 01
La Grande.....	Second half.....	1,478.89	100 00	40 00	140 00		12,368.14	4,406 32	1,659 19
Total.....		2,374.87	170 00	68 00	238 00		19,980.64	10,132 49	3,086 20
The Dalles.....	First half.....						5,397.04	2,171 29	1,065 42
The Dalles.....	Second half.....	40.00	10 00	4 00	14 00		5,800.67	3,208 92	1,190 91
Total.....		40.00	10 00	4 00	14 00		11,197.71	5,380 21	2,256 33
Linkville.....	First half.....						3,759.32	2,318 55	876 03
Linkville.....	Second half.....						2,016.45	665 73	777 41
Total.....							5,775.77	2,984 28	1,653 44
Oregon City.....	First half.....						13,215.33	6,213 70	2,774 46
Oregon City.....	Second half.....	94.40	10 00	4 00	14 00		15,780.75	5,295 17	3,223 04
Total.....		94.40	10 00	4 00	14 00		28,996.08	11,508 87	5,997 50
Roseburg.....	First half.....						11,478.72	6,000 90	2,835 88
Roseburg.....	Second half.....						14,693.17	7,619 37	2,134 41
Total.....							26,171.89	13,620 27	4,970 29
Grand total.....		2,509.27	190 00	76 00	266 00		92,122.09	43,626 12	17,963 76
UTAH TERRITORY.									
Beaver City.....	First half.....						3,915.94	1,556 40	799 28
Beaver City.....	Second half.....						1,360.28	528 32	465 00
Total.....							5,276.22	2,084 72	1,264 28

No. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, &amp;c.—Continued.

States, Territories, and land offices.	Fiscal year 1877.	Quantity entered under timber-culture acts of March 3, 1873, and March 13, 1874, (Revised Statutes, section 2464 ) with amount received as fees and commissions thereon.				Quantity located with agricultural - college scrip, and registers' and receivers' commissions on the value of the land embraced by the locations.		Aggregate area disposed of, with amount received therefor, including \$5 and \$10 payments and registers' and receivers' commissions.		Incidental expenses.
		Acres.	Fees.	Commissions.	Aggregate.	Acres.	Amount.	Acres.	Amount.	
UTAH TERRITORY—Continued.										
Salt Lake City .....	First half .....							20,976.14	\$8,160 23	\$2,165 22
Salt Lake City .....	Second half .....	418.50	\$40 00	\$16 00	\$56 00	160.00	\$4 00	90,772.11	32,617 53	3,919 16
Total .....		418.50	40 00	16 00	56 00	160.00	4 00	111,748.25	40,777 76	6,084 38
Grand total .....		418.50	40 00	16 00	56 00	160.00	4 00	117,024.47	42,862 48	7,348 66
WASHINGTON TERRITORY.										
Olympia .....	First half .....							15,406.19	17,587 24	2,080 56
Olympia .....	Second half .....							14,979.08	15,064 41	2,728 29
Total .....								30,385.27	32,651 65	4,808 85
Vancouver .....	First half .....	320.00	20 00	8 00	28 00			5,805.66	2,622 89	1,606 06
Vancouver .....	Second half .....	400.00	30 00	12 00	42 00			5,914.72	1,998 25	1,368 98
Total .....		720.00	50 00	20 00	70 00			11,720.38	4,621 14	2,975 04
Walla Walla .....	First half .....	3,129.01	260 00	104 00	364 00			17,400.21	13,403 84	1,748 74
Walla Walla .....	Second half .....	15,897.74	1,160 00	464 00	1,624 00			39,757.66	15,565 61	2,625 56
Total .....		19,026.75	1,420 00	568 00	1,988 00			57,157.87	28,969 45	4,384 30
Grand total .....		19,746.75	1,470 00	588 00	2,058 00			99,263.52	66,192 24	12,168 19
WISCONSIN.										
Bayfield .....	First half .....							1,824.08	2,166 85	2,629 56
Bayfield .....	Second half .....							1,326.07	1,341 05	623 26
Total .....								3,150.15	3,507 90	2,652 82
Eau Claire .....	First half .....							15,459.52	4,540 16	2,556 30



Eau Claire.....	Second half.....							15,049.67	4,752.38	1,645.90
Total.....								30,509.19	9,292.54	4,202.20
Falls St. Croix.....	First half.....							12,002.63	5,111.49	1,621.28
Falls St. Croix.....	Second half.....							9,894.94	5,263.73	1,464.18
Total.....								21,897.57	10,375.22	3,085.46
La Crosse.....	First half.....							12,589.49	5,027.53	1,695.88
La Crosse.....	Second half.....							15,250.05	6,761.22	1,446.28
Total.....								27,839.54	11,788.75	3,142.16
Menasha.....	First half.....							8,522.82	5,359.27	975.30
Menasha.....	Second half.....							11,029.09	8,661.45	1,054.52
Total.....								19,551.91	14,020.72	2,029.82
Wausau.....	First half.....							9,798.15	5,029.95	1,707.97
Wausau.....	Second half.....							8,567.97	2,358.43	1,889.52
Total.....								18,366.12	7,388.38	3,597.49
Grand total.....								121,314.48	56,373.51	19,709.95
WYOMING TERRITORY.										
Cheyenne.....	First half.....							2,280.00	1,694.00	752.00
Cheyenne.....	Second half.....							2,876.00	5,326.50	1,030.14
Total.....								5,156.00	7,020.50	1,782.14
Grand total.....		520,673.39	38,070.00	15,228.00	53,298.00	1,280.00	36.00	3,440,738.13	1,356,079.38	352,230.86

## NO. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, &amp;c.—Continued.

## RECAPITULATION.

States and Territories.	Quantity sold for cash and revolutionary bounty-land scrip at and above \$1.25 per acre, and amount received therefor, in the fiscal year ending June 30, 1877.		Amount received in cash and revolutionary bounty-land scrip, respectively, during the fiscal year ending June 30, 1877.		Quantity entered for homestead settlement, with the aggregate of \$5 and \$10 payments thereon, with registers' and receivers' commissions on the value of the lands entered during the fiscal year ending June 30, 1877.			
	Acres.	Amount.	Cash.	Bounty-land scrip.	Acres.	\$5 and \$10 payments.	Registers' and receivers' commissions.	Aggregate of \$5 and \$10 payments, and registers' and receivers' commissions.
Alabama .....	272.75	\$1,394 44	\$1,394 44	.....	120,833.24	\$9,770 00	\$5,649 00	\$15,419 00
Arkansas .....	393.71	2,324 64	2,324 64	.....	151,731.62	11,873 00	9,758 49	21,631 49
Arizona Territory .....	44,702.09	19,693 60	19,693 60	.....	5,359.45	385 00	268 50	653 50
California .....	401,022.17	483,932 19	476,445 00	\$7,487 19	200,373.96	14,645 00	12,893 99	27,538 99
Colorado .....	32,493.04	54,448 02	54,448 02	.....	38,046.52	2,705 00	3,186 91	5,891 91
Dakota Territory .....	20,336.42	39,415 29	39,415 29	.....	123,869.82	8,235 00	5,571 36	13,806 36
Florida .....	781.99	12,580 49	12,580 49	.....	185,771.80	13,515 00	5,465 45	18,780 45
Idaho Territory .....	5,738.53	7,173 34	7,173 34	.....	27,740.98	1,825 00	1,357 00	3,182 00
Iowa .....	1,299.23	1,945 03	1,945 03	.....	6,136.49	707 00	5,647 01	6,354 01
Illinois .....	452.55	734 08	734 08	.....	.....	.....	.....	.....
Indiana .....	260.10	325 09	325 09	.....	272.28	15 00	12 00	27 00
Kansas .....	26,535.00	58,850 78	58,502 03	348 75	441,877.78	32,595 00	35,020 53	67,915 53
Louisiana .....	392.00	1,681 31	1,681 31	.....	52,723.50	3,989 00	2,645 34	6,634 34
Michigan .....	9,692.43	26,971 21	26,971 21	.....	104,003.88	8,260 00	6,765 13	15,025 13
Minnesota .....	17,510.87	33,951 29	33,951 29	.....	183,680.33	15,924 00	17,379 56	33,303 56
Missouri .....	7,251.64	9,601 51	9,601 51	.....	37,664.18	3,071 00	5,012 82	8,083 82
Mississippi .....	254.24	324 67	324 67	.....	40,489.16	2,875 00	1,552 00	4,427 00
Montana Territory .....	5,692.55	8,970 68	8,970 68	.....	6,597.60	505 00	1,257 00	1,762 00
Nebraska .....	7,544.71	15,464 80	15,464 80	.....	160,771.72	13,229 00	23,157 50	36,386 50
New Mexico Territory .....	1,114.65	1,313 77	1,313 77	.....	3,361.87	220 00	177 00	397 00
Nevada .....	26,239.63	19,659 68	19,659 68	.....	5,220.75	431 00	413 45	844 45
Ohio .....	11.47	137 64	137 64	.....	40.00	5 00	31 94	36 94
Oregon .....	21,114.78	31,226 64	31,226 64	.....	68,498.04	5,815 00	6,318 48	12,133 48
Utah Territory .....	55,556.54	34,312 27	34,312 27	.....	60,889.43	4,490 00	4,000 21	8,490 21
Washington Territory .....	24,713.46	54,551 97	54,551 97	.....	54,803.31	4,640 00	4,942 27	9,582 27
Wisconsin .....	27,374.02	41,730 11	41,730 11	.....	93,940.46	7,950 00	6,693 40	14,643 40
Wyoming Territory .....	1,956.00	6,602 50	6,602 50	.....	3,200.00	250 00	228 00	478 00
Total .....	740,686.57	969,317 04	961,481 10	7,835 94	2,178,098.17	168,024 00	165,404 34	333,428 34

No. 2.—Statement of public land sold, of cash and revolutionary bounty-land scrip received in payment therefor, &c.—Continued.

RECAPITULATION—Continued.

States and Territories.	Quantity entered under timber-culture acts of March 3, 1873, and March 13, 1874, (Rev. Stat., Sec. 2464.) with amount received as fees and commissions thereon.				Quantity located with agricultural college scrip, and registers' and receivers' commissions on the value of the land embraced by the locations.		Aggregate area disposed of, with amount received therefor, including \$5 and \$10 payments and registers' and receivers' commissions.		Incidental expenses.
	Acres.	Fees.	Commissions.	Aggregate.	Acres.	Amount.	Acres.	Amount.	
Alabama.....							121, 105. 99	\$16, 813 44	\$9, 600 26
Arkansas.....							152, 125. 33	23, 956 13	16, 354 05
Arizona Territory.....	2, 440. 00	\$210 00	\$84 00	\$294 00			52, 501. 54	20, 641 10	3, 477 87
California.....	10, 906. 05	760 00	304 00	1, 064 00	640. 00	\$20 00	612, 942. 18	512, 555 18	48, 294 92
Colorado.....	3, 023. 33	260 00	104 00	364 00	320. 00	8 00	73, 882. 89	60, 711 93	17, 889 65
Dakota Territory.....	68, 188. 92	4, 750 00	1, 900 00	6, 650 00	160. 00	4 00	212, 555. 16	59, 875 65	16, 847 97
Florida.....							186, 553. 79	31, 360 94	7, 179 68
Idaho Territory.....	7, 035. 91	520 00	208 00	728 00			40, 515. 42	11, 083 34	4, 410 88
Iowa.....	4, 791. 76	590 00	236 00	826 00			12, 227. 48	9, 125 04	8, 129 91
Illinois.....							452. 55	734 08	133 34
Indiana.....							532. 38	352 09	302 18
Kansas.....	238, 020. 74	16, 530 00	6, 612 00	23, 142 00			706, 433. 52	149, 908 31	46, 205 58
Louisiana.....							53, 115. 50	8, 315 65	6, 757 47
Michigan.....							113, 696. 31	41, 996 34	13, 641 88
Minnesota.....	76, 020. 49	5, 690 00	2, 276 00	7, 966 00			277, 411. 69	75, 220 85	35, 726 65
Missouri.....							44, 895. 82	17, 685 33	9, 826 51
Mississippi.....							40, 743. 40	4, 751 67	3, 494 52
Montana Territory.....	398. 59	30 00	12 00	42 00			12, 688. 74	10, 774 68	4, 721 98
Nebraska.....	86, 933. 08	7, 010 00	2, 804 00	9, 814 00			255, 249. 51	61, 665 30	31, 255 54
New Mexico Territory.....							4, 476. 52	1, 710 77	2, 507 28
Nevada.....	240 00	20 00	8 00	28 00			31, 700. 38	20, 532 13	7, 165 36
Ohio.....							51. 47	174 58	334 68
Oregon.....	2, 509. 27	190 00	76 00	266 00			92, 122. 09	43, 626 12	17, 963 76
Utah Territory.....	418. 50	40 00	16 00	56 00	160. 00	4 00	117, 024. 47	42, 862 48	7, 348 66
Washington Territory.....	19, 746. 75	1, 470 00	588 00	2, 058 00			99, 263. 52	66, 192 24	12, 168 19
Wisconsin.....							121, 314. 48	56, 373 51	18, 709 95
Wyoming Territory.....							5, 156. 00	7, 080 50	1, 782 14
Total.....	520, 673. 39	38, 070 00	15, 228 00	53, 298 00	1, 280. 00	36 00	3, 440, 738. 13	1, 356, 079 38	352, 230 86.

J. A. WILLIAMSON,  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
General Land Office.

PUBLIC LANDS.

## SWAMP LANDS.

No. 3.—Statement exhibiting the quantity of land selected for the several States under acts of Congress approved March 2, 1849, September 28, 1850, (*Revised Statutes of United States*, section 2479,) and March 12, 1860, (*Revised Statutes of United States*, section 2490,) up to and ending September 30, 1877.

States.	Fourth quarter of 1876.	First quarter of 1877.	Second quarter of 1877.	Third quarter of 1877.	Year ending June 30, 1877.	Total since date of grant.
	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>
Ohio .....						54,438.14
Indiana .....						1,354,732.50
Illinois .....						3,267,470.65
Missouri .....	46,593.41				46,593.41	4,700,732.28
Alabama .....						479,514.44
Mississippi .....						3,070,645.29
Louisiana, (act of 1849) ..						10,805,231.02
Louisiana, (act of 1850) ..						543,339.13
Michigan .....						7,273,724.72
Arkansas .....						8,652,432.93
Florida .....						15,004,538.37
Wisconsin .....						4,200,669.58
Iowa .....						3,449,720.18
California .....		9,323.74	960.00	1,838.53	10,223.74	1,681,249.73
Minnesota .....	405,876.08	271,644.95	1,037.75	70,269.95	678,558.78	3,134,589.58
Oregon .....		1,715.61			1,715.61	10,017.22
Total .....	452,469.49	282,684.30	1,997.75	72,108.48	737,151.54	67,683,045.76

No. 4.—Statement exhibiting the quantity of land approved to the several States under acts of Congress approved March 2, 1849, September 28, 1850, (*Revised Statutes of United States*, section 2479,) and March 12, 1860, (*Revised Statutes of United States*, section 2490,) up to and ending September 30, 1877.

States.	Fourth quarter of 1876.	First quarter of 1877.	Second quarter of 1877.	Third quarter of 1877.	Year ending June 30, 1877.	Total since date of grant.
	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>
Ohio .....						25,640.71
Indiana .....		40.00			40.00	1,263,916.68
Illinois .....	120.00				200.00	1,492,474.66
Missouri .....		40,769.20			40,769.20	4,425,251.57
Alabama .....						400,434.78
Mississippi .....						3,068,642.31
Louisiana, (act of 1849) ..		6,620.14	32,667.12		39,353.54	8,290,977.35
Louisiana, (act of 1850) ..					572.87	239,731.58
Michigan .....		36.41		40.00	36.41	5,790,356.63
Arkansas .....					1,974.46	7,625,837.68
Florida .....						11,797,436.98
Wisconsin .....					11,727.59	3,139,719.24
Iowa .....	3,515.12		120.00	3,203.86	5,680.85	922,222.70
California .....		9,323.74	840.00	1,838.53	10,163.74	1,537,138.05
Minnesota .....	57,989.67	102,540.57	46,772.90		207,303.14	1,361,125.13
Oregon .....		3,113.25			3,113.25	4,449.54
Total .....	61,624.79	162,443.31	80,400.02	5,082.39	320,935.05	51,315,355.59

No. 5.—Statement exhibiting the quantity of land patented to the several States under the acts of Congress approved September 25, 1850, (*Revised Statutes United States*, section 2479,) and March 12, 1860, (*Revised Statutes United States*, section 2490.) and also the quantity certified to the State of Louisiana under act approved March 2, 1849.

States.	Fourth quarter of 1876.	First quarter of 1877.	Second quarter of 1877.	Third quarter of 1877.	Year ending June 30, 1877.	Total since date of grant.
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Ohio.....						25,640.71
Indiana.....						*1,256,631.96
Illinois.....			160.00		160.00	†1,453,771.67
Missouri.....		72,277.35	22,346.22		96,174.39	‡3,280,103.01
Alabama.....						392,719.61
Mississippi.....						2,681,383.16
Louisiana, (act of 1849).....		6,620.14	32,667.12		39,353.54	8,290,977.35
Louisiana, (act of 1850).....					572.87	217,274.84
Michigan.....			76.41		6,946.49	\$5,657,697.19
Arkansas.....	1,695.00		6,430.43		45,902.99	7,067,953.11
Florida.....						10,735,403.21
Wisconsin.....				11,846.99		3,071,419.61
Iowa.....			960.00	160.00	1,194.32	¶1,168,037.34
California.....			95,589.02	640.00	147,497.92	1,404,524.67
Minnesota.....			72,166.30		72,166.30	1,215,319.93
Oregon.....			4,449.54		4,449.54	4,449.54
Total.....	1,695.00	78,897.49	234,845.04	12,646.99	414,418.36	47,923,306.91

\* 4 880.20 acres of this contained in indemnity patents under act of March 2, 1855.

† 2,309.07 acres of this contained in indemnity patents under act of March 2, 1855.

‡ 31,890.97 acres of this contained in indemnity patents under act of March 2, 1855.

§ 18,823.93 acres of this contained in indemnity patents under act of March 2, 1855.

|| 34,910.75 acres of this contained in indemnity patents under act of March 2, 1855.

¶ 321,388.23 acres of this contained in indemnity patents under act of March 2, 1855.

No. 6.—Condition of bounty land business under acts of 1847, 1850, 1852, and 1855, showing the issues and locations with bounty land warrants, and the number outstanding, from the commencement of operations under said acts to June 30, 1877.

Grade of warrants.	Number issued.	Acres embraced thereby.	Number located.	Acres embraced thereby.	Number outstanding.	Acres embraced thereby.
Act of 1847, 160 acres.....	80,663	12,906,000	78,909	12,625,440	1,754	280,640
Act of 1847, 40 acres.....	7,583	303,320	7,051	202,040	532	21,280
Total.....	88,246	13,209,400	85,960	12,907,480	2,286	301,920
Act of 1850, 160 acres.....	27,438	4,390,080	26,757	4,281,120	681	108,960
Act of 1850, 80 acres.....	57,712	4,618,960	56,112	4,488,960	1,600	128,000
Act of 1850, 40 acres.....	103,971	4,158,840	100,349	4,013,960	3,622	144,880
Total.....	189,121	13,165,880	183,218	12,784,040	5,903	381,840
Act of 1852, 160 acres.....	1,223	195,680	1,191	190,560	32	5,120
Act of 1852, 80 acres.....	1,698	135,840	1,659	132,720	39	3,120
Act of 1852, 40 acres.....	9,064	362,560	8,870	354,000	194	7,760
Total.....	11,985	694,080	11,720	678,080	265	16,000
Act of 1855, 160 acres.....	114,217	18,274,720	107,865	17,258,400	6,352	1,016,320
Act of 1855, 120 acres.....	96,946	11,633,520	89,979	10,797,480	6,967	836,040
Act of 1855, 100 acres.....	6	600	5	500	1	100
Act of 1855, 80 acres.....	49,412	3,952,960	47,622	3,809,760	1,790	143,200
Act of 1855, 60 acres.....	359	21,540	304	18,240	55	3,300
Act of 1855, 40 acres.....	539	21,560	459	18,360	80	3,200
Act of 1855, 10 acres.....	5	50	3	30	2	20
Total.....	261,484	33,904,950	246,237	31,902,770	15,247	2,002,180
SUMMARY.						
Act of 1847.....	88,246	13,209,400	85,960	12,907,480	2,286	301,920
Act of 1850.....	189,121	13,165,880	183,218	12,784,040	5,903	381,840
Act of 1852.....	11,985	694,080	11,720	678,080	265	16,000
Act of 1855.....	261,484	33,904,950	246,237	31,902,770	15,247	2,002,180
Total.....	550,836	61,974,310	527,135	58,272,370	23,701	2,701,940

No. 7.—Statement exhibiting land concessions by acts of Congress to States and corporations for railroads and military wagon road purposes from the year 1850 to June 30, 1877.

States.	Date of laws.	Statutes.	Page.	Name of road.	Mile limits.	Number of acres certified or patented for the year ending June 30, 1877.	Number of acres certified or patented up to June 30, 1877.
Illinois	Sept. 20, 1850	9	466	Illinois Central	6 and 15	}	2,595,053.00
Do	Sept. 20, 1850	9	466	Mobile and Chicago	6 and 15		
Mississippi	Sept. 20, 1850	9	466	Mobile and Ohio River	6 and 15		
Do	Aug. 11, 1856	11	30	Vicksburg and Meridian	6 and 15		*737, 130.29
Do	Aug. 11, 1856	11	30	Gulf and Ship Island	6 and 15		198, 027.82
Alabama	Sept. 20, 1850	9	466	Mobile and Ohio River	6 and 15		419, 528.44
Do	May 17, 1856	11	15	Alabama and Florida	6 and 15		394, 522.99
Do	June 3, 1856	11	17	Selma, Rome and Dalton, formerly Alabama and Tennessee	6 and 15		457, 407.37
Do	May 23, 1872	17	159	Act confirming lands heretofore certified to the State for the Alabama and Tennessee			
Do	June 3, 1856	11	17	Cocosa and Tennessee	6 and 15		†67, 784.96
Do	June 3, 1856	11	17	Mobile and Girard	6 and 15		†504, 145.86
Do	June 3, 1856	11	17	Alabama and Chattanooga, formerly the Northeastern and Southwestern and Will's Valley.	6 and 15		552, 555.44
Do	Apr. 10, 1869	16	45	Act to renew certain grants of lands to the State of Alabama.	6 and 15		433, 600.80
Do	June 3, 1856	11	17	South and North Alabama			
Do	Mar. 3, 1857	11	900	Act amending the sixth section of original act.			
Do	Mar. 3, 1871	16	580	Act to renew certain grants of land to the State of Alabama.			
Florida	May 17, 1856	11	15	Florida Railroad	6 and 15		281, 984.17
Do	May 17, 1856	11	15	Florida and Alabama	6 and 15		165, 682.00
Do	May 17, 1856	11	15	Pensacola and Georgia	6 and 15		†1, 275, 212.93
Do	May 17, 1856	11	15	Florida, Atlantic and Gulf Central	6 and 15		137, 583.29
Louisiana	June 3, 1856	11	18	North Louisiana and Texas, formerly the Vicksburg and Shreveport	6 and 15		353, 211.70
Do	June 3, 1856	11	18	New Orleans, Opelousas and Great Western	6 and 15		†719, 193.75
Do	July 14, 1870	16	277	Act declaring forfeited to the United States all the lands not lawfully disposed of by the State.			
Arkansas	Feb. 9, 1853	10	155	Saint Louis, Iron Mountain and Southern, formerly Cairo and Fulton	6 and 15		1, 115, 408.41
Do	July 23, 1866	14	338	do	Additional 5	7, 636.45	202, 161.08
Do	May 6, 1870	16	376	Resolution extending the time for completion of first twenty miles of road.			
Do	Feb. 9, 1853	10	155	Memphis and Little Rock	6 and 15		127, 238.51
Do	July 23, 1866	14	338	do	Additional 5		14, 606.19
Do	Feb. 9, 1853	10	155	Little Rock and Fort Smith	6 and 15		550, 520.18
Do	July 23, 1866	14	338	do	Additional 5		366, 196.26
Do	Apr. 10, 1869	16	46	Act extending time for completion of first twenty miles of road.			
Do	Mar. 8, 1870	16	26	Act repealing provision in act of April 10, 1869, as to mode of sales of land.			
Do	July 4, 1866	14	23	Saint Louis and Iron Mountain	10 and 20		

Missouri	June 10, 1852	10	8	Hannibal and Saint Joseph	6 and 15	603,506.34
Do.	June 10, 1852	10	8	Atlantic and Pacific, formerly Pacific and Southwest Branch	6 and 15	1,161,204.51
Do.	Feb. 9, 1853	10	155	Saint Louis, Iron Mountain and Southern, formerly Cairo and Fulton	6 and 15	63,294.17
Do.	July 23, 1866	14	338	do.	Additional 5	
Do.	July 4, 1866	14	83	Saint Louis and Iron Mountain	10 and 20	
Iowa	May 15, 1856	11	9	Burlington and Missouri River	6 and 15	
Do.	June 2, 1864	13	96	do.	20	292,170.80
Do.	Feb. 10, 1866	14	349	Resolution extending time for completion of road		96,646.55
Do.	May 15, 1856	11	9	Chicago, Rock Island and Pacific	6 and 15	\$442,094.36
Do.	June 2, 1864	13	98	do.	20	161,212.81
Do.	Jan. 31, 1873	17	421	Act to quiet the title to certain lands in the State of Iowa.		
Do.	May 15, 1856	11	9	Cedar Rapids and Missouri River	6 and 15	919.35
Do.	June 2, 1864	13	96	do.	20	9,294.56
Do.	May 15, 1856	11	9	Dubuque and Sioux City	6 and 15	1,272.85
Do.	June 2, 1864	13	98	Act authorizing the Dubuque and Sioux City Railroad to change its line of road.		\$549,345.41
Do.	Mar. 2, 1868	15	38	Act extending time for completion of road to January 1, 1872.		
Iowa	May 15, 1856	11	9	Iowa Falls and Sioux City	6 and 15	683,023.80
Do.	May 12, 1864	13	79	McGregor and Missouri River	10 and 20	138,284.69
Do.	May 12, 1864	13	72	Sioux City and Saint Paul	10 and 20	160.00
Michigan	June 3, 1856	11	21	Detroit and Milwaukee	6 and 15	30,998.75
Do.	June 3, 1856	11	21	Port Huron and Milwaukee	6 and 15	6,428.68
Do.	June 3, 1856	11	21	Jackson, Lansing and Saginaw	6 and 15	743,009.36
Do.	July 3, 1866	14	78	Act extending the time for completion of road seven years. &c.		
Do.	Mar. 2, 1867	14	425	Act extending the time for completion of first twenty miles of road.		
Do.	Mar. 3, 1871	16	566	Act authorizing change of northern terminus from Traverse Bay to Straits of Mackinaw, and for other purposes.		
Do.	June 3, 1856	11	21	Flint and Pere Marquette	6 and 15	512,337.03
Do.	Feb. 17, 1865	13	569	Resolution extending time for completion of road.		
Do.	July 3, 1866	14	78	Act authorizing the company to change its western terminus of road.		
Do.	Mar. 3, 1871	16	582	Act extending time for completion of road five years.		
Do.	June 3, 1856	11	21	Grand Rapids and Indiana	6 and 15	629,993.11
Do.	June 7, 1864	13	119	Grand Rapids and Indiana, from Fort Wayne, Ind., to Grand Rapids	6 and 20	6,456.07
Do.	Mar. 3, 1865	13	520	Act extending time for completion of road eight years		222,967.01
Do.	June 3, 1856	11	21	Marquette, Houghton and Ontonagon	6 and 15	
Do.	Mar. 3, 1865	13	521	do.	20	
Do.	May 20, 1868	15	252	Resolution extending time for completion of road, with certain restrictions.		437,385.00
Do.	Apr. 27, 1871	17	643	Act authorizing the Houghton and Ontonagon Railroad Company to resurvey and locate anew a part of its road.		
Do.	Mar. 3, 1865	13	521	Bay de Noquet and Marquette	200 sections	128,000.00
Do.	July 5, 1862	12	620	Chicago and Northwestern	6 and 15	
Do.	Mar. 3, 1865	13	521	do.	20	
Do.	May 23, 1872	17	160	Act authorizing change of route in Michigan.		517,868.15

\* In the adjustment of this grant the road was treated as an entirety, and without reference to the State line; hence Alabama has approved to her more and Mississippi less land than they would appear to be entitled to in proportion to the length of road line in the respective States.

† No evidence of the construction of any part of these roads, as required by the acts, having been filed in the General Land Office, the grants are presumed to have lapsed, but the lands have not been restored to the mass of public lands, Congress having taken no action to that end.

‡ Eighty miles constructed road before the grant lapsed.

§ Includes 35,685.49 acres of the Chicago, Rock Island and Pacific Railroad; 109,756.85 acres of the Cedar Rapids and Missouri River Railroad; and 77,535.22 acres of the Dubuque and Sioux City Railroad, situated in the old Des Moines River grant of August, 1846, which amounts are a loss to the roads by the decision of the United States Supreme Court in the case of the Dubuque and Pacific Railroad Company vs. Litchfield, 23 Howard, p. 66.



No. 7.—Statement exhibiting land concessions by acts of Congress to States and corporations, &amp;c.—Continued.

States.	Date of law.	Statutes.	Page.	Name of road.	Mile limits.	Number of acres certified or patented for the year ending June 30, 1877.	Number of acres certified or patented up to June 30, 1877.
Wisconsin	June 3, 1856	11	20	West Wisconsin, formerly the La Crosse and Milwaukee, and Tomah and Saint Croix Railroads.	6 and 15 10 and 20	2,984.07	799,896.58
Do	May 5, 1864	13	66	West Wisconsin.			
Do	Mar. 3, 1873	17	634	Act to quiet the title to the lands of the settlers on lands claimed by the West Wisconsin Railway Company.		120.00	40,049.11
Do	June 3, 1856	11	20	Wisconsin Railroad Farm Mortgage Land Company			
Do	July 27, 1868	15	238	Act amendatory of the original act.	6 and 15 10 and 20		524,718.15
Do	June 3, 1856	11	20	Saint Croix and Lake Superior	6 and 15 10 and 20		318,740.80
Do	May 5, 1864	13	66	do	10 and 20 6 and 15		545,575.76
Do	June 3, 1856	11	20	Branch to Bayfield	200.25		
Do	May 5, 1864	13	66	do			
Do	June 3, 1856	11	20	Chicago and Northwestern			
Do	Apr. 23, 1869	12	618	Resolution authorizing change of route in Wisconsin and selection of lands.			
Do	Mar. 3, 1865	13	530	Act extending time for completion of road five years.			
Do	Mar. 3, 1869	15	307	Authorizing selection of lands along the full extent of original route of road, &c.	10 and 20	45,824.92	443,823.16
Do	May 5, 1864	13	66	Wisconsin Central, formerly the Portage, Winnebago, and Superior.			
Do	June 21, 1866	14	360	Resolution explanatory of the act of May 5, 1864, and authorizing certain changes of width in accordance with the act of the State legislature.			
Do	Apr. 9, 1874	19	28	Act to extend the time for completion of road to December 31, 1876.	6 and 15 10 and 20		466,403.48
Minnesota	Mar. 3, 1857	11	195	First division Saint Paul and Pacific	6 and 15 10 and 20	6,144.84	780,391.44
Do	Mar. 3, 1865	13	536	do			
Do	Mar. 3, 1873	17	631	Act extending time for completion of road nine months.	6 and 15 10 and 20		436,695.16
Do	Mar. 3, 1857	11	195	Branch line Saint Paul and Pacific			101,147.26
Do	Mar. 3, 1865	13	536	do			
Do	July 13, 1869	12	624	Resolution authorizing the State to change the branch line under certain conditions.	10 and 20		780,291.75
Do	Mar. 3, 1871	16	588	Saint Vincent Extension Saint Paul and Pacific, south terminus changed from Crow Wing to Saint Cloud.			
Do	Mar. 3, 1873	17	631	Act extending time for completion of road nine months.			
Do	June 22, 1874	16	203	Act extending time for completion of road to March 3, 1876, &c.			
Do	Mar. 3, 1857	11	195	Minnesota Central, formerly Minneapolis and Cedar Valley	6 and 15 10 and 20		176,456.08
Do	Mar. 3, 1865	13	536	do	6 and 15 10 and 20		3,279.93
Do	Mar. 3, 1857	11	195	Winona and Saint Peter			341,563.48
Do	Mar. 3, 1865	13	536	do	11,737.29		1,323,514.90
Do	July 13, 1866	14	97	Act allowing selections within twenty miles of road in lieu of lands sold after definite location, but prior to withdrawal, &c.			
Do	Jan. 13, 1873	17	469	Act extending the time for completion of road.	6 and 15 10 and 20		959,319.24
Do	Mar. 3, 1857	11	195	Saint Paul and Sioux City, formerly Southern Minnesota and Minnesota Valley		15,892.48	240,529.83
Do	May 12, 1864	13	74	do			
Do	July 13, 1866	14	97	Act extending the time for completion of road seven years.			

Minnesota	May 5, 1864	13	64	Lake Superior and Mississippi	10 and 20		860,564.09
Do	July 13, 1866	14	93	Act authorizing the railroad company to make up deficiency of land within thirty miles of west line of road.			
Do	July 4, 1866	14	87	Southern Minnesota	10 and 20	5,066.74	285,403.74
Do	July 4, 1866	14	87	Hastings and Dakota	10 and 20	320.00	169,790.81
Kansas	Mar. 3, 1863	12	772	Leavenworth, Lawrence and Galveston	10 and 20	120.00	*256,281.66
Do	July 1, 1864	13	339	Act authorizing change of route of branch line.			
Do	Apr. 19, 1871	17	5	Act authorizing the company to relocate a portion of its road.			
Do	July 24, 1876	19	101	Act declaring a portion of the grant forfeited.			
Do	Mar. 3, 1863	12	772	Missouri, Kansas and Texas	10 and 20	4,087.85	*658,068.13
Do	July 1, 1864	13	339	Act extending grant from Emporia to a point near Fort Riley.			
Do	July 26, 1866	14	289	Act making grant from Fort Riley to the southern boundary of the State.	10 and 20		2,474,686.47
Do	Mar. 3, 1863	12	772	Atchison, Topeka and Santa Fe	10 and 20		21,341.77
Do	July 25, 1866	14	236	Missouri River, Fort Scott and Gulf	10 and 20		441,158.25
Do	July 23, 1866	14	210	Saint Joseph and Denver City	10		
Corporations	July 1, 1862	12	489	Union Pacific, from Omaha, Nebr., to a point near Ogden, in Utah Territory	20	39,371.58	1,857,792.12
Do	July 2, 1864	13	365	Union Pacific			
Do	July 3, 1866	14	79	Act authorizing location of Union Pacific Railroad from Omaha westward.			
Do	July 26, 1866	14	367	Resolution granting right of way through military reserve. &c.			
Do	Apr. 10, 1869	16	56	Resolution for the protection of the interests of the United States in the Union Pacific and Central Pacific Railroads, and providing that the common terminus of the road shall be at or near Ogden, Utah Territory, &c.			
Do	May 6, 1870	16	121	Act fixing the point of junction of the Union Pacific and Central Pacific Railroads, &c.			
Do	July 1, 1862	12	489	Central Branch Union Pacific	10		
Do	July 2, 1864	13	356	do	20		
Do	July 1, 1862	12	489	Kansas Pacific, formerly Union Pacific Railroad, eastern division	10		
Do	July 2, 1864	13	356	do	20	32,284.57	531,261.71
Do	July 3, 1866	14	79	Act requiring the company to designate general route before December 1, 1866.			
Do	May 7, 1866	14	355	Resolution extending time for completion of road.			
Do	Mar. 3, 1869	15	324	Act extending the Union Pacific Railway, eastern division line of road, to Denver City, and authorizing transfer of lands by said company to the Denver Pacific Railroad Company, between Denver and Cheyenne.			
Do	Mar. 3, 1869	15	348	Resolution authorizing the Union Pacific Railway Company, eastern division, to change its name to Kansas Pacific.			
Do	Mar. 3, 1869	15	324	Denver Pacific	20		49,811.59
Do	June 20, 1874	18	111	Act making additions to the fifteenth section of the act approved July 2, 1864.			
Do	July 1, 1862	12	489	Central Pacific	10		
Do	July 2, 1864	13	356	do	20	352,662.96	694,158.99
Do	July 1, 1862	12	489	Central Pacific, successor by consolidation with Western Pacific.	10		
Do	July 2, 1864	13	356	do	20	2,689.09	422,598.18
Do	Mar. 3, 1865	13	594	Act ratifying the assignment made by the Central Pacific Railroad Company to the Western Pacific Railroad Company of that portion from San José to the City of Sacramento.			
Do	July 13, 1866	14	79	Act authorizing location of road eastward.			
Do	May 21, 1866	14	356	Resolution extending the time for completion of first section of twenty miles of Western Pacific Railroad upon certain conditions.			
Do	May 6, 1870	16	121	Act fixing the point of junction of the Central Pacific and Union Pacific Railroads.			

\* Includes 186,936.72 acres of the Leavenworth, Lawrence and Galveston Railroad, and 260,425.35 acres of the Missouri, Kansas and Texas Railway, situated in the "Osage ceded reservation," which amounts are a loss to the roads by the decision of the United States Supreme Court, at its October term, 1875.

No. 7.—Statement exhibiting land concessions by acts of Congress to States and corporations, &amp;c.—Continued.

States.	Date of laws.	Statutes.	Page.	Name of road.	Mile limits.	Number of acres certified or patented for the year ending June 30, 1877.	Number of acres certified or patented up to June 30, 1877.
Corporations .....	July 2, 1864	13	364	Burlington and Missouri River .....	20 sections per mile.	.....	2,374,090.77
Do .....	May 6, 1870	16	118	Act authorizing change of route and connection with the Union Pacific Railroad at or near Fort Kearney.	.....	.....	.....
Do .....	July 2, 1864	13	363	Sioux City and Pacific .....	10	161.60	40,678.23
Do .....	July 2, 1864	13	365	Northern Pacific .....	States, 20, 30, and 40.	.....	.....
Do .....	May 7, 1866	14	355	Resolution extending time for commencing and completing road.	Territories, 40, 50, and 60,	.....	743,493.44
Do .....	July 1, 1868	15	255	Resolution extending time for commencing and completing road.	.....	.....	.....
Do .....	Mar. 1, 1869	15	346	Resolution authorizing issue of bonds, &c.	.....	.....	.....
Do .....	Apr. 10, 1869	16	57	Resolution authorizing the company to extend its branch line from Portland to Puget Sound, &c.	.....	.....	.....
Do .....	May 31, 1870	16	378	Resolution authorizing the issue of mortgage bonds, reversing locations of main and branch lines in Washington Territory, extending indemnity limits, &c.	.....	.....	.....
Do .....	July 15, 1870	16	305	Act requiring the Northern Pacific Railroad Company to pay the cost of surveying, &c.	.....	.....	.....
Do .....	July 13, 1866	14	94	*Placerville and Sacramento Valley .....	10 and 20	.....	.....
Do .....	Apr. 15, 1874	18	29	Act declaring the grant forfeited to the United States.	.....	.....	.....
Do .....	July 25, 1866	14	239	Oregon Branch of the Central Pacific .....	20 and 30	45,841.05	539,900.28
Do .....	June 25, 1868	15	80	Act extending time for completion of road.	.....	.....	.....
Do .....	Apr. 10, 1869	16	47	Act amendatory of the original act and providing for the sale of the lands to actual settlers at a fixed price and limited quantity.	.....	.....	.....
Do .....	July 25, 1866	14	239	Oregon and California .....	20 and 30	86,622.71	323,148.68
Do .....	June 25, 1868	15	80	Act extending time for completion of road.	.....	.....	.....
Do .....	Apr. 10, 1869	16	47	Act amendatory of the original act, and providing for the sale of the lands to actual settlers at a fixed price and limited quantity.	.....	.....	.....
Do .....	July 27, 1866	14	292	Atlantic and Pacific .....	States, 20 and 30; Territories, 40 and 50.	.....	504,536.60
Do .....	Apr. 20, 1871	17	19	Act authorizing the company to mortgage its road.	.....	.....	.....
Do .....	July 27, 1866	14	292	Southern Pacific .....	20 and 30	22,920.48	709,038.97
Do .....	July 25, 1868	15	187	Act to extend the time for the construction of the road, &c.	.....	.....	.....
Do .....	Mar. 3, 1871	16	579	Branch Line Southern Pacific .....	20 and 30	.....	41,178.23
Do .....	Mar. 2, 1867	14	548	*Stockton and Copperopolis .....	10 and 20	.....	.....
Do .....	June 15, 1874	18	72	Act declaring the grant forfeited to the United States.	.....	.....	.....
Do .....	May 4, 1870	16	118	Oregon Central .....	20 and 25	.....	.....

Do.....	Mar. 3, 1871	16	573	Texas Pacific.....	California, 20 and 30; Ter- ritories, 40 and 50. 20 and 30		
Do.....	Mar. 3, 1871	16	579	New Orleans, Baton Rouge and Vicksburgh.....			
WAGON ROADS.							
Wisconsin.....	Mar. 3, 1863	12	797	From Fort Wilkins, Copper Harbor, Mich., to Fort Howard, Green Bay, Wis ..	3 and 15 .....		302, 930. 36
Do.....	June 8, 1868	15	67	Act extending time for completion of road to March 1, 1870.			
Do.....	May 6, 1870	16	121	Act extending time for completion of road to January 1, 1872.			
Do.....	June 25, 1864	13	183	Military road to Lake Superior, (from Wausau to State line, Wis) .....	3 and 6 .....		
Michigan.....	Mar. 3, 1863	12	797	From Fort Wilkins, Copper Harbor, Mich., to Fort Howard, Green Bay, Wis. ....	3 and 15 .....		221, 013. 35
Do.....	June 8, 1868	15	67	Act extending time for completion of road to March 1, 1870.			
Do.....	May 6, 1870	16	121	Act extending time for completion of road to January 1, 1872.			
Do.....	Apr. 24, 1872	17	56	Act extending time for completion of road to January 1, 1874.			
Do.....	June 20, 1864	13	140	No map filed; limitations of grant expired June 20, 1869.			
Oregon.....	July 2, 1864	13	355	Oregon Central military road .....	3 .....		361, 327. 43
Do.....	Dec. 26, 1866	14	374	Act making provision for indemnity limits .....	6 .....		
Do.....	Mar. 3, 1869	15	338	Act extending time for completion of road to July 2, 1872.			
Do.....	July 4, 1866	14	86	Corvallis and Aquina Bay.....	3 .....		57, 506. 89
Do.....	July 5, 1866	14	89	Willamette Valley and Cascade Mountain .....	3 alternate sections to be selected within six miles.		107, 942. 28
Do.....	Feb. 27, 1867	14	409	Dalles military road .....			
Do.....	Mar. 3, 1869	15	340	Coos Bay military road .....	3 and 10 3 and 6	61, 543. 18	126, 910. 23 91, 026. 10

\* Lands declared forfeited by Congress.

## No. 7.—Statement exhibiting land concessions, &amp;c.—Continued.

## RECAPITULATION.

States.	Number of acres certified or pat- ented for the year ending June 30, 1877.	Number of acres certified or pat- ented under the grant.
Illinois.....	.....	2,595,053.00
Mississippi.....	.....	935,158.11
Alabama.....	.....	2,829,545.86
Florida.....	.....	1,760,468.39
Louisiana.....	.....	1,072,405.45
Arkansas.....	7,636.45	2,376,130.63
Missouri.....	.....	1,828,005.02
Iowa.....	11,646.76	3,940,270.75
Michigan.....	6,456.07	3,228,987.09
Wisconsin.....	49,129.24	2,672,803.56
Minnesota.....	39,161.35	6,925,351.19
Kansas.....	4,207.85	3,851,536.28
Corporations:	118,237.72	34,015,715.88
Pacific railroads.....	582,554.04	8,831,687.79
Wagon roads— Wisconsin.....	700,791.76	42,847,403.12
Michigan.....	.....	302,930.36
Oregon.....	61,543.18	221,013.35
Deduct for lands reverted and declared forfeited by Congress.....	762,334.94	744,712.93
Total.....	762,334.94	44,116,059.76
		919,193.00
	762,334.94	43,196,866.76

J. A. WILLIAMSON, *Commissioner.*

DEPARTMENT OF THE INTERIOR.

General Land Office, November 1, 1877.

*Rights of way granted to railway companies in certain States and Territories.*

States and Territories.	Date of laws.	Statutes.	Page.	Name of railroad.
Iowa.....	June 4, 1872	17	220	Act granting right of way to the Davenport and Saint Paul Company.
Florida.....	June 4, 1872	17	224	Act granting right of way to the Great Southern Railway Company for 100 feet in width on each side of said road and branch.
Do.....	June 7, 1872	17	280	Act granting right of way to the Jacksonville and Saint Augustine Company for 100 feet in width on each side of road and any of its branches.
Do.....	Mar. 3, 1875	18	482	Act granting right of way to the West Florida and Mobile Railroad Company for 100 feet in width on each side of road.
Do.....	Mar. 3, 1875	18	509	Act granting right of way to the Jacksonville, Pensacola and Florida Railroad Company, &c.
Do.....	Mar. 3, 1875	18	482	Act granting right of way to the Atlantic, Gulf and Western India Transit Railroad Company, &c.
Alabama.....	June 8, 1872	17	340	Act granting right of way to the Pensacola and Louisville Company for 100 feet in width, &c.
California.....	June 20, 1874	18	130	Act granting right of way to the Nevada County Narrow Gauge Railroad for 100 feet in width, &c.
Do.....	Mar. 3, 1875	18	462	Act granting right of way to the Salmon Creek Railroad Company for 100 feet in width, &c.
Arkansas.....	June 23, 1874	18	274	Act granting right of way to the Arkansas Valley Railway Company for 100 feet in width, &c.
Oregon and Utah Territory.	Apr. 12, 1872 suppl. act. Mar. 3, 1873	{ 17 52 612 }		Act granting right of way to the Portland, Dalles and Salt Lake Company for 100 feet in width, &c.

*Rights of way granted to railway companies in certain States and Territories—Continued.*

States and Territories.	Date of laws.	Statutes.	Page.	Name of railroad.
Utah Territory .....	Dec. 15, 1870	16	395	Act granting right of way to the Utah Central Company for 200 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the Wasatch and Jordan Valley Company for 100 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the Southern Railroad Company for 100 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the San Pete Valley Company for 100 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the Utah Western Railroad Company for 100 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the Bingham Cañon and Camp Floyd Company for 100 feet in width &c.
Dakota Territory .....	Dec. 15, 1870	16	395	Act granting right of way to the Dakota Southern Company for 100 feet in width, &c.
Do .....	June 1, 1872	17	202	Act granting right of way to the Dakota Grand Trunk Company for 100 feet in width, &c.
Utah, Idaho, and Montana Territories.	June 1, 1872	17	212	Act granting right of way to the Utah, Idaho and Montana Company for 100 feet in width, &c.
Utah and Montana .....	Mar. 3, 1873	17	612	Act granting right of way to the Utah Northern Railroad Company for 100 feet in width, &c.
Wyoming Territory .....	Mar. 3, 1873	18	482	Act granting right of way to the Wyoming Central Company for 100 feet in width, &c.
Do .....	Mar. 3, 1873	18	482	Act granting right of way to the Evanston and Montana Company for 100 feet in width, &c.
Colorado .....	June 8, 1872	17	339	Act granting right of way to the Denver and Rio Grande Railway Company for 100 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the Pueblo and Salt Lake Railway Company for 100 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the Colorado and New Mexico Railroad Company for 100 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the Denver and Middle Park Railway Company for 100 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the Spanish Range Railway Company for 100 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the Pueblo and Arkansas Valley Railroad Company for 100 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the Denver, South Park and Pacific Railroad Company for 100 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the Arkansas Valley and New Mexican Railway Company for 100 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the Cañon City and San Juan Railway Company for 100 feet in width, &c.
Do .....	Mar. 3, 1875	18	482	Act granting right of way to the Saint Vrain Railroad Company for 100 feet in width, &c.
Oregon .....	Mar. 3, 1875	18	482	Act granting right of way to the Port Orford and Roseburg Railroad Company for 100 feet in width, &c.
Minnesota .....	Mar. 3, 1875	18	432	Act granting right of way to the Worthington and Sioux Falls Railroad Company for 100 feet in width, &c.
Nevada and Oregon .....	Feb. 5, 1875	18	306	Act granting right of way and depot-grounds to the Oregon Central Railway Company.
Washington Territory.	Mar. 3, 1869	15	325	Act granting right of way to the Walla Walla and Columbia River Railroad Company for 100 feet in width, &c.
Do .....	Mar. 3, 1873	17	613	Act amendatory of the original.
New Mexico Territory.	June 8, 1872	17	343	Act granting right of way to the New Mexico and Gulf Railway Company for 100 feet in width, &c.

## No. 8.—Statement exhibiting land concessions by acts of Congress to States for canal purposes from the year 1827 to June 30, 1877

States.	Date of laws.	Statutes.	Page.	Name of canal.	Total number of acres granted.
Indiana.....	Mar. 2, 1827	4	236	} Wabash and Erie Canal .....	1, 439, 279
Do.....	Feb. 27, 1841	5	414		
Do.....	Mar. 3, 1845	5	731		
Ohio.....	Mar. 2, 1827	4	236	} .....do .....	266, 535
Do.....	June 30, 1834	4	716		
Do.....	May 24, 1828	4	305	Miami and Dayton .....	333, 826
Do.....	Apr. 2, 1830	4	393	.....do .....	.....
Do. (sec. 5.) .....	May 24, 1828	4	306	General canal purposes.....	500, 000
Illinois .....	Mar. 2, 1827	4	234	Canal to connect the waters of the Illinois River with those of Lake Michigan.	290, 915
Wisconsin .....	June 18, 1838	5	245	Milwaukee and Rock River Canal .....	125, 431
Do.....	Apr. 10, 1866	14	39	Breakwater and harbor and ship canal.....	200, 000
Do.....	Mar. 7, 1874	18	20	Extending the time for completion of Green Bay and Sturgeon Bay and Lake Michigan Ship Canal.	.....
Michigan .....	Aug. 26, 1852	10	35	Saint Mary's Ship Canal.....	750, 000
Do.....	Mar. 3, 1865	13	519	Portage Lake and Lake Superior Ship Canal.	200, 000
Do.....	July 3, 1866	14	81	.....do .....	200, 000
Do.....	July 3, 1866	14	80	Lac La Belle Ship Canal .....	100, 000

## RECAPITULATION.

Indiana.....	1, 439, 279
Ohio.....	1, 100, 361
Illinois.....	290, 915
Wisconsin.....	325, 431
Michigan.....	1, 250, 000
Total quantity of acres granted.....	4, 405, 986

DEPARTMENT OF THE INTERIOR,  
General Land Office, November 1, 1877.

J. A. WILLIAMSON, *Commissioner.*



## ATTACHMENT OF RAILROAD RIGHTS.

No. 9.—Table showing the time when the various railroad rights attach to the lands granted, so far as at present determined.

States.	Names of roads.	Dates.
Illinois .....	Illinois Central .....	September 20, 1850. (Grant fully adjusted.)
Mississippi .....	Mobile and Ohio River .....	September 20, 1850. (Grant fully adjusted.)
	Vicksburg and Meridian, formerly the Southern.	August 31, 1857. (Grant fully adjusted.)
	Gulf and Ship Island .....	* November, 1860.
Alabama .....	Mobile and Ohio River .....	September 20, 1850. (Grant fully adjusted.)
	Alabama and Florida .....	* August 30, 1856.
	Selma, Rome and Dalton, formerly Alabama and Tennessee.	May 20, 1857.
	Coosa and Tennessee .....	* December 27, 1858.
	Coosa and Chattanooga .....	* July 3, 1858.
	Mobile and Girard .....	* May 13, 1858.
	Alabama and Chattanooga, formerly the Northeastern and Southwestern, and Wills Valley.	* October 11, 1858.
	South and North Alabama, formerly the Tennessee and Alabama Central.	May 22, 1866, between Decatur and a junction with the Alabama and Tennessee Railroad, in township 22 south, range 2 west, and May 30, 1871, between that point and Montgomery.
Florida .....	Florida Railroad .....	* From survey in the field, which was between May 17, 1856, and January 10, 1857..
	Florida and Alabama .....	* From May 17 to 31, 1856.
	Pensacola and Georgia .....	* March 3, 1857, between Tallahassee and Alligator, in township 13 south, range 17 east, and from September 1 to October 23, 1857, between Tallahassee and Pensacola.
	Florida, Atlantic and Gulf Central.	* February 17, 1857, in the granted, and September 7, 1857, in the indemnity limits.
Louisiana .....	Vicksburg, Shreveport and Texas.	January 27, 1857.
	New Orleans, Opelousas and Great Western.	† October 9, 1856, between New Orleans and Opelousas, and December 19, 1856, between Opelousas and the Texas boundary.
Arkansas .....	Little Rock and Fort Smith .....	August 13, 1855, and, under the reviving act, May 13, 1867.
	Cairo and Fulton .....	January 17, 1855, and, under the reviving act, July 28, 1866.
	Memphis and Little Rock .....	August 18, 1855, and, under the reviving act, May 13, 1867.
Missouri .....	Hannibal and Saint Joseph .....	March 8, 1853, in the granted, and June 16, 1853, in the indemnity limits. (Grant virtually adjusted.)
	Pacific and Southwestern Branch Saint Louis and Iron Mountain Extension.	1853. (Grant fully adjusted.)
Iowa .....	Burlington and Missouri River ...	April 7, 1870.
	Chicago, Rock Island and Pacific ..	March 24, 1857. See Supreme Court Reports, 9 Wallace, p. 89, Railroad Company vs. Fremont County.
	Cedar Rapids and Missouri River ..	Survey in the field, which was from October 21, 1856, to March 2, 1857.
	Iowa Falls and Sioux City .....	Survey in the field, which was from September 1, 1856, to July 12, 1857.
	McGregor and Missouri River ....	Survey in the field, which was from May 30 to August 31, 1856.
		* August 19, 1864, from McGregor to section 12, township 95 north, range 35 west.
		From that point to the southwest corner section 18, township 96 north, range 38 west, between November 30 and December 5, 1868, and from that point to a connection with the Saint Paul and Sioux City Road, between June 23 and 30, 1869, the dates of survey in the field.
	Sioux City and Saint Paul .....	Survey in the field, which was between September 27 and October 4, 1866.
Michigan .....	Jackson, Lansing and Saginaw ....	August 4, 1858.
	Flint and Pere Marquette .....	August 3, 1857.
	Grand Rapids and Indiana .....	November 17, 1857, between Grand Rapids and the Strait of Mackinac.
		March 15, 1866, between Grand Rapids and Fort Wayne, Indiana.
	Bay de Noquet and Marquette ....	December 1, 1857. (See Secretary's decision of April 12, 1859, Lester.)
	Houghton and Ontonagon, formerly Marquette and Ontonagon.	June 23, 1859.

\* Time taken as definite location from data on file in this office, subject, however, to correction upon receipt of evidence to the contrary.

† By the act of July 14, 1870, the lands granted west of Brashear City were declared forfeited to the government, and have since been restored to homestead entry, excepting those falling within the limits of the grant of March 3, 1871, to the New Orleans, Baton Rouge and Vicksburg Railroad.

No. 9.—Table showing the time when the various railroad rights attach, &amp;c.—Continued.

States.	Names of roads.	Dates.
Wisconsin .....	Chicago and Northwestern, formerly Chicago, Saint Paul and Fond du Lac.	From Fond du Lac to the north boundary of the State. Survey in the field, which was between May 1, 1836, and October 16, 1837. September 7, 1869.
	Wisconsin Central, formerly Portage, Winnebago and Superior.	July 13, 1857, from Tomah to Lake Saint Croix. March 23, 1865, to additional grant under act May 5, 1864.
	West Wisconsin, formerly La Crosse and Milwaukee and Tomah and Saint Croix Roads.	May 5, 1864.
	Madison and Portage .....	June 16, 1857.
	Wisconsin Railroad Farm Mortgage Company.	July 13, 1857.
	Saint Croix and Lake Superior and Branch to Bayfield.	November 2, 1857, entire main line, except between Prescott and the south line of township 34 north, which was from November 24 to December 8, 1857, survey in the field.
		Branch line from survey in the field, which was between May 3 and June 10, 1858.
		April 22, 1865, to additional grant under act of May 5, 1864.
		November 9, 1857, within 6-mile limits, and January 16, 1858, between 6 and 15 mile limits of the main line and branch to Crow Wing, and March 3, 1865, to additional grant under that act.
		From survey in the field, which was between May 18 and September 21, 1871.
Minnesota .....	Saint Paul and Pacific .....	July 17, 1857, from Winona to the west line of township 110, range 31 west, in the 6-mile limits, and March 22, 1858, between the 6 and 15 mile limits.
	Saint Paul and Pacific, Saint Vincent Extension.	From that point to the west line of township 108, range 37 west, survey in the field, which was in April, 1864. (See Secretary's decision of August 15, 1874.)
	Winona and Saint Peter .....	January 19, 1867, from that point to the Big Sioux River, in Dakota Territory.
	Minnesota Central .....	To original grant from survey in the field, which was between June 8, and July 25, 1857, and to additional grant under act of March 3, 1865, date of act.
	Saint Paul and Sioux City .....	From Saint Paul to section 28, township 106 north, range 34 west, survey in the field, which was from June 8 to October 8, 1857, in the 6-mile limits, and March 22, 1858, between the 6 and 15 mile limits.
		From that point to section 30, township 104 north, range 39 west, from October 31 to November 8, 1858, within both 6 and 15 mile limits.
		From that point to the southern boundary of Minnesota, June 28, 1866.
		To the additional grant under the act of May 12, 1864, from date of act, where the road was already definitely located.
	Lake Superior and Mississippi .....	September 25, 1866.
	Hastings and Dakota .....	Survey in the field, which was from August 25 to October 28, 1866.
Kansas .....	Southern Minnesota .....	From the Mississippi River to Houston, survey in the field, which was from July 21 to August 5, 1857.
		From Houston to section 22, township 104 north, range 8 west, July 4, 1866.
		From that point to section 2, township 103 north, range 18 west, January 1, 1867.
		From that point to section 21, township 104 north, range 37 west, November 29, 1866.
		From that point to section 4, township 104 north, range 39 west, October 24, 1866.
		From that point to the western boundary of the State, from survey in the field, which was between October 15 and 26, 1870.
	Missouri, Kansas and Texas .....	From Junction City to Connell Grove, from survey in the field, which was between September 5 and 21, 1866.
		From Council Grove to Emporia, August 10, 1866.
		From Emporia to the Osage lands, from survey in the field, which was between September 24 and 28, 1866.
		From the north boundary of the Osage lands to the southern boundary of Kansas, October 15, 1867.

No. 9.—Table showing the time when the various railroad rights attach, &amp;c.—Continued.

States.	Names of roads.	Dates.
Kansas .....	Missouri River, Fort Scott and Gulf.	February 11, 1868.
	Leavenworth, Lawrence and Galveston.	November 15, 1866, from Lawrence to the north boundary of the Osage lands.
		November 26, 1867, to the southern boundary of Kansas.
	Saint Joseph and Denver City...	March 21, 1870.
	Atchison, Topeka and Santa Fé...	From Atchison to Emporia, survey in the field, which was from November 28, 1865, to January 1, 1866.
		From Emporia to Wichita, survey in the field, which was from May 13 to July 13, 1869.
		From the sixth principal meridian near Newton to section 27, township 23 south, range 5 west, September 23, 1871.
		From that point west to section 33, township 22 south, range 6 west, October 8, 1870.
		From that point west to the mouth of Pawnee Creek, in township 22 south, range 16 west, survey in the field, which was from June 21 to December 1, 1870.
		From that point to the west line of range 27 west, March 22, 1872.
		From that point to the western boundary of the State, May 30, 1872.
	CORPORATIONS.	
	Union Pacific.....	First one hundred miles west from Omaha, October 19, 1864.
		Second one hundred miles, June 20, 1866.
		From the 200th to the 380th mile-post, November 23, 1866.
		From the 380th mile-post to Brown's Summit, (nearly to the 700th mile-post,) survey in the field, which was from April 1 to November 15, 1867.
		From Brown's Summit to Ogden, survey in the field, which was from May 1 to July 30, 1868.
		Withdrawal takes effect for the first hundred miles of road, within 15-mile limits, December 16, 1863, the date when the company filed their map of general route in the department, and between the 15 and 20 mile limits July 2, 1864, date of additional grant. Withdrawal takes effect from the 100th mile-post west from Omaha to Salt Lake City, June 28, 1865, the date when the map of general route was filed in the department. (See Secretary's decision of February 27, 1875.)
	Central Pacific.....	From Sacramento east to the south line of township 13 north, range 8 east, within ten miles of the road, June 1, 1863, and within twenty miles, July 2, 1864, date of act.
		* From that point to the east line of township 17 north, range 13 east, September 14, 1866.
		* From that point to the Big Bend of the Truckee River, in township 20 north, range 24 east, Nevada, October 25, 1867.
		From that Point to Humboldt Wells, December 18, 1866.
		From that point to Monument Point, (head of Salt Lake,) January 16, 1867.
		From that point to Ogden, July 18, 1868.
		First twenty miles northward from San José, October 3, 1866.
		From that point to Sacramento, from survey in the field, which was between January 28 and December 15, 1868.
California.....	Western Pacific .....	From the boundary line between Missouri and Kansas to section 17, township 11 south, range 18 east, Kansas, February 13, 1864.
		From that point to Fort Riley, from survey in the field, which was between February 13, 1864, and February 18, 1865.
		From Fort Riley to the 405th mile-post, (Sheridan, Kans.,) March 3, 1869, date of act.
		From that point to Denver City, from survey in the field, beginning June 29, 1869, and ending April 25, 1870, at the 635th mile-post.
	Kansas Pacific.....	

\* Time taken as definite location from data on file in this office, subject, however, to corrections upon receipt of evidence to the contrary.

No. 9.—Table showing the time when the various railroad rights attach, &amp;c.—Continued.

States.	Names of roads.	Dates.
CORPORATIONS—Continued.		
Colorado.....	Denver Pacific.....	March 3, 1869, date of act.
Kansas .....	Central Branch Union Pacific.....	January, 1864, within the 10-mile limits, and July 2, 1864, date of act, within the 20-mile limits.
Nebraska .....	Burlington and Missouri River ...	June 15, 1865.
	Sioux City and Pacific.....	November 9, 1866, in Nebraska, and in Iowa from survey in the field, which was between November 20 and December 7, 1866.
	Northern Pacific.....	From a junction with the Lake Superior and Mississippi Road, in Minnesota, to the Red River of the North, November 21, 1871. From the Red River of the North to the Missouri River, in Dakota Territory, May 26, 1873. From Kalama, Washington Territory, north to Tenino, sixty-five miles, September 13, 1873. From Tenino to Tacoma, on Puget Sound, May 14, 1874. According to a decision of the Secretary of the Interior, dated March 22, 1873, the first withdrawal of lands takes effect from the acceptance of the map of general route by the department, from which time settlement is excluded from the granted sections, and the alternate reserved sections are raised to \$2.50 per acre. The first map of general route through Minnesota and a portion of Washington Territory was accepted August 13, 1870. Subsequently amended in parts both in Minnesota and Washington Territory. The map of general route through Dakota, Montana, Idaho, and a portion of Washington Territories was accepted February 21, 1872. The map of general route of the branch line, in Washington Territory, was accepted August 15, 1873.
	Atlantic and Pacific .....	From Springfield, Mo., to the western boundary of the State, December 17, 1866. From that point to the mouth of Kingfisher Creek, in Indian Territory, December 2, 1871. From that point to the eastern boundary of New Mexico, February 7, 1872. From that point to the eastern boundary of California, March 12, 1872. From San Francisco to San Miguel, Cal., March 12, 1872. Through the county of Los Angeles and part of San Bernardino, Cal., March 12, 1872. From San Miguel Mission to the Los Angeles County line, August 15, 1872. From a point in township 7 north, range 7 east, S. B. M., San Bernardino County, to the Colorado River, August 15, 1872.
	Texas Pacific.....	Road not yet definitely located. Lands withdrawn upon a preliminary line, withdrawal taking effect from date of receipt of the order at the district land offices, which was as follows: New Mexico Territory, December 4, 1871; Arizona Territory, December 26, 1871; California, October 15, 1871.
	New Orleans, Baton Rouge and Vicksburg.	Road not yet definitely located. Lands withdrawn upon a preliminary line, taking effect from date of receipt of the order at the district offices, which was as follows: Letter of November 29, 1871, received at New Orleans December 11, 1871; letter of November 29, 1871, received at Natchitoches December 20, 1871; letter of March 27, 1873, received at New Orleans April 3, 1873.
California .....	Placerville and Sacramento Valley	June 26, 1867. (Grant declared forfeited by act of April 15, 1874, and lands restored to market.)
	Stockton and Copperopolis.....	October 12, 1867. (Grant declared forfeited by act of June 15, 1874, and lands restored to market.)

No. 9.—Table showing the time when the various railroad rights attach, &amp;c.—Continued.

States.	Names of roads.	Dates.
CORPORATIONS—Continued.		
California.....	Oregon Branch of the Central Pacific, formerly California and Oregon.	From receipt of letters of withdrawal at the district land offices, which was as follows: Marysville, November 25, 1867; Sacramento, November 28, 1867; Humboldt, December 2, 1867; Shasta, September 6, 1871, (which latter date includes lands from township 32 north to north line township 46 north.)
	Southern Pacific, of California....	First withdrawal became effective January 3, 1867, date of filing the map of general route in the General Land Office. (See Secretary's decision of April 23, 1875, in case of <i>Alfred Queen vs. Southern Pacific Railroad Company.</i> ) Withdrawal for branch line, under act of March 3, 1871, became effective April 3, 1871. Right of road attaches from the dates of filing the maps of definite location in the General Land Office.
Oregon .....	Oregon and California .....	From Portland, Oreg., south to township 10 south, range 2 west, February 16, 1870. From that point to the south line of township 13 south, April 23, 1870. From that point to the south line of township 27 south, April 25, 1870. From that point to near the south line of township 30 south, April 13, 1871.
	Oregon Central .....	From Portland, Oreg., to the Yamhill River, near McMinnville, and from a junction near Forest Grove toward Astoria, twenty miles, May 29, 1871. From Astoria to Castor Creek, in the direction of Portland, January 31, 1872.

J. A. WILLIAMSON,  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
General Land Office, November 1, 1877.

No. 10.—Estimates of appropriations required for the service of the fiscal year ending June 30, 1879, by the General Land Office.

Detailed objects of expenditure, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1878.
<b>Salaries:</b>			
Commissioner General Land Office, (Rev. Stat., p. 75, sec. 446,) and March 3, 1875, (18 Stat., p. 364, sec. 1.)	\$4,000 00	.....	\$4,000 00
Chief clerk, per act March 3, 1853, (10 Stat., p. 211, sec. 3,) and March 3, 1875, (18 Stat., p. 364, sec. 1.)	2,000 00	.....	2,000 00
Recorder, (Rev. Stat., p. 75, sec. 447,) per act March 3, 1875, (18 Stat., p. 364, sec. 1.)	2,000 00	.....	2,000 00
One clerk, at \$2,000, per act March 3, 1875, (18 Stat., p. 364, sec. 1.)	2,000 00	.....	2,000 00
Three principal clerks of public lands, of private land claims, and of surveys, at \$1,800, (Rev. Stat., p. 75, sec. 448, Rev. Stat., p. 76, sec. 449,) and March 3, 1875, (18 Stat., p. 364, sec. 1.)	5,400 00	.....	5,400 00
Six clerks of class four, per act March 3, 1853, (10 Stat., p. 211, sec. 3,) and March 3, 1875, (18 Stat., p. 364, sec. 1.)	10,800 00	.....	9,000 00
Twenty-six clerks of class three, per act March 3, 1853, (10 Stat., p. 211, sec. 3;) per act March 3, 1855, (10 Stat., p. 664, sec. 1;) per act July 20, 1868, (15 Stat., p. 100, sec. 1;) and March 3, 1875, (18 Stat., p. 364, sec. 1.)	41,600 00	.....	35,200 00
Forty-eight clerks of class two, per act March 3, 1853, (10 Stat., p. 211, sec. 3;) per act March 3, 1855, (10 Stat., p. 664, sec. 1;) per act July 20, 1868, (15 Stat., p. 100, sec. 1;) and March 3, 1875, (18 Stat., p. 364, sec. 1.)	67,200 00	.....	56,000 00
Ninety-six clerks of class one, per act March 3, 1853, (10 Stat., p. 211, sec. 3;) per act March, 1855, (10 Stat., p. 664, sec. 1;) per act July 20, 1868, (15 Stat., p. 100, sec. 1;) and March 3, 1875, (18 Stat., p. 364, sec. 1.)	115,200 00	.....	84,000 00

No. 10.—*Estimates of appropriations required, &c.*—Continued.

Detailed objects of expenditure, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1878.
<b>Salaries—Continued.</b>			
Draughtsman, at \$1,600, and assistant draughtsman, at \$1,400, per act July 4, 1836, (5 Stat., p. 112, sec. 10;) per act April 22, 1854, (10 Stat., p. 276, sec. 1;) and March 3, 1875, (18 Stat., p. 364, sec. 1.)	\$3,000 00	.....	\$3,000 00
Two messengers, at \$840 each, and three assistant messengers, at \$720 each, per act July 4, 1836, (5 Stat., p. 112, sec. 10;) per act March 3, 1869, (15 Stat., p. 287, sec. 1;) and March 3, 1875, (18 Stat., p. 364, sec. 1.)	3,840 00	.....	3,840 00
Two packers, at \$720 each, per act July 4, 1836, (5 Stat., p. 112, sec. 10;) per act March 3, 1869, (15 Stat., p. 287;) and March 3, 1875, (18 Stat., p. 364, sec. 1.)	1,440 00	.....	1,440 00
Nine laborers, at \$720 each, per act March 3, 1869, (15 Stat., p. 291, sec. 1;) per act March 3, 1869, (15 Stat., p. 287, sec. 1;) and March 3, 1875, (18 Stat., p. 364, sec. 1.)	6,480 00	.....	5,760 00
	264,960 00	\$264,960 00	213,640 00

*Provided*, That the Secretary of the Interior, at his discretion, shall be, and he is hereby, authorized to use any portion of the said appropriation for piecework or by the day, month, or year, at such rate or rates as he may deem just and fair, not exceeding a salary of \$1,200 per annum.

J. A. WILLIAMSON,  
*Commissioner.*

DEPARTMENT OF THE INTERIOR,  
*General Land Office, September 26, 1877.*

No. 11.—*Estimates of appropriations required for the service of the fiscal year ending June 30, 1879, by the General Land Office.*

Detailed objects of expenditure, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1878.
<b>Contingent expenses:</b>			
Stationery, diagrams, parchment paper for land patents, furniture and repairs of the same, miscellaneous items, including two of the city newspapers, to be filed, bound, and preserved for the use of the office, for the actual expenses of clerks detailed to investigate fraudulent land entries, trespasses on the public lands, and cases of official misconduct, and for advertising and telegraphing, (17 Stat., p. 75, sec. 1; appropriated, 17 Stat., p. 364, sec. 1.)	.....	\$30,000 00	\$21,500 00
<b>Map:</b> For 3,600 copies (including paper) of the map of the United States prepared in this office, (18 Stat., p. 213, sec. 1; appropriated, 18 Stat., p. 374, sec. 1.)	.....	6,000 00	4,000 00
<b>Printing, binding, &amp;c.:</b> Land office reports, circulars, patents, tract books, indices, records, field notes, abstracts, and other miscellaneous printing and binding required for the use of the office, (17 Stat., p. 82, sec. 2; appropriated, 18 Stat., p. 204, sec. 1; 18 Stat., p. 371, sec. 1.)	.....	30,000 00	30,000 00
<b>Collecting revenue from sales of public lands:</b> Salaries and commissions of registers and receivers. (See detailed statement herewith.) (18 Stat., p. 213, sec. 1; appropriated, 18 Stat., p. 384, sec. 1.)	\$542,600 00	.....	390,000 00
<b>Incidental expenses of the several land offices,</b> (18 Stat., p. 213, sec. 1; appropriated, 18 Stat., p. 384, sec. 1.)	59,790 00	.....	40,175 00
<b>Expenses of depositing public moneys,</b> (18 Stat., p. 213, sec. 1; appropriated, 17 Stat., p. 384, sec. 1.)	13,000 00	.....	10,000 00
<b>For the protection of timber on the public lands,</b> (17 Stat., p. 517, sec. 1; appropriated, 18 Stat., p. 384, sec. 1.)	50,000 00	.....	5,000 00
		675,090 00	
<b>Total</b> .....		731,390 00	490,675 00

No. 12.—Detailed estimate of amount for salaries and commissions of registers and receivers and incidental expenses of the several land offices during the fiscal year ending June 30, 1879.

States and Territories.	Land offices.	Salaries and commissions.	Incidental expenses.	Total.
Missouri.....	Boonville.....	\$6,000	\$750	\$19,950
	Ironton.....	6,000	600	
	Springfield.....	6,000	600	
Alabama.....	Mobile.....	5,000	500	19,100
	Huntsville.....	6,000	600	
	Montgomery.....	6,000	1,000	
Mississippi.....	Jackson.....	6,000	600	6,600
Louisiana.....	New Orleans.....	6,000	600	16,800
	Natchitoches.....	4,000	600	
	Monroe.....	5,000	600	
Michigan.....	Detroit.....	5,000	800	31,200
	East Saginaw.....	6,000	600	
	Ionia.....	5,000	600	
	Marquette.....	6,000	600	
	Traverse City.....	6,000	600	
Arkansas.....	Dardanelle.....	6,000	600	26,840
	Little Rock.....	6,000	900	
	Camden.....	6,000	740	
	Harrison.....	6,000	600	
Florida.....	Gainesville.....	6,000	600	6,600
Iowa.....	Fort Des Moines.....	6,000	600	13,200
	Sioux City.....	6,000	600	
Nebraska.....	Norfolk.....	4,000	400	41,800
	Beatrice.....	6,000	600	
	Lincoln.....	6,000	600	
	Niobrara.....	4,000	400	
	Grand Island.....	6,000	600	
	Bloomington.....	6,000	600	
	North Platte.....	6,000	600	
Colorado.....	Pueblo.....	6,600	600	33,600
	Denver City.....	6,000	600	
	Fair Play.....	5,000	500	
	Del Norte.....	6,000	600	
	Central City.....	4,000	400	
	Lake City.....	3,000	300	
Utah Territory.....	Salt Lake City.....	6,000	600	6,600
Wyoming.....	Cheyenne.....	4,000	400	11,400
	Evanston.....	6,000	1,000	
Wisconsin.....	Menasha.....	6,000	600	39,600
	Falls Saint Croix.....	6,000	600	
	Wausau.....	6,000	600	
	La Crosse.....	6,000	600	
	Bayfield.....	6,000	600	
	Eau Claire.....	6,000	600	
California.....	San Francisco.....	6,000	900	68,100
	Marysville.....	6,000	900	
	Humboldt.....	6,000	900	
	Stockton.....	6,000	900	
	Visalia.....	6,000	600	
	Sacramento.....	6,000	900	
	Shasta.....	6,000	900	
	Los Angeles.....	6,000	600	
	Susanville.....	6,000	900	
	Independence.....	6,000	600	
Nevada.....	Carson City.....	5,000	500	11,000
	Eureka.....	5,000	500	
Washington.....	Olympia.....	6,000	600	26,800
	Vancouver.....	6,000	600	
	Walla Walla.....	6,000	600	
	Colfax.....	6,000	1,000	



## No. 12.—Detailed estimate of amount for salaries, &amp;c.—Continued.

States and Territories.	Land offices.	Salaries and commissions.	Incidental expenses.	Total.
Minnesota .....	Taylor's Falls .....	\$6,000	\$600	\$59,400
	Saint Cloud .....	6,000	600	
	Duluth .....	6,000	600	
	Fergus Falls .....	6,000	600	
	Worthington .....	6,000	600	
	New Ulm .....	6,000	600	
	Benson .....	6,000	600	
	Redwood Falls .....	6,000	600	
	Detroit .....	6,000	600	
Oregon .....	Oregon City .....	6,000	600	33,000
	Roseburg .....	6,000	600	
	Le Grande .....	6,000	600	
	Linkville .....	6,000	600	
	The Dalles .....	6,000	600	
Kansas .....	Topeka .....	6,000	900	53,100
	Salina .....	6,000	600	
	Independence .....	6,000	600	
	Wichita .....	6,000	600	
	Concordia .....	6,000	600	
	Kirwin .....	6,000	600	
	Larned .....	6,000	600	
	Hays City .....	6,000	600	
New Mexico .....	Santa Fé .....	4,000	600	11,000
	La Mesilla .....	6,000	400	
Dakota .....	Sioux Falls .....	6,000	600	34,100
	Springfield .....	4,000	400	
	Fargo .....	6,000	600	
	Yankton .....	6,000	600	
	Bismarck .....	6,000	600	
	Deadwood .....	3,000	300	
Idaho .....	Boise City .....	3,000	300	12,500
	Lewiston .....	2,000	200	
	Oneida .....	6,000	1,000	
Montana .....	Helena .....	5,000	500	12,100
	Bozeman .....	6,000	600	
Arizona .....	Prescott .....	3,000	400	8,000
	Florence .....	4,000	600	
Total .....		542,600	59,790	602,390

J. A. WILLIAMSON,  
Commissioner.DEPARTMENT OF THE INTERIOR,  
General Land Office, September 26, 1877.

No. 13.—*Estimates of appropriations required for the service of the fiscal year ending June 30, 1879, by the General Land Office.*

Detailed objects of expenditure, and explanations.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1878, \$300,000.
<i>* Surveying the public lands.</i>		
In Louisiana: 1. At rates not exceeding \$12 per linear mile for township and \$10 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	\$40, 000	\$7, 200
In Florida: 2. At rates not exceeding \$12 per linear mile for standard, \$12 for township, and \$10 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	6, 000	3, 650
In Minnesota: 3. At rates not exceeding \$15 per linear mile for standard, \$12 for township, and \$10 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	25, 000	12, 400
In Dakota: 4. At rates not exceeding \$15 per linear mile for standard, \$12 for township, and \$10 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	50, 000	17, 700
In Montana: 5. At rates not exceeding \$15 per linear mile for standard, \$12 for township, and \$10 for section lines; and for heavily timbered mountain lands, at augmented rates not exceeding \$18 for standard, \$16 for township, and \$14 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	30, 000	17, 700
In Nebraska: 6. At rates not exceeding \$15 per linear mile for standard, \$12 for township, and \$10 for section lines, (R. S. p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	30, 000	14, 400
In Colorado: 7. At rates not exceeding \$15 per linear mile for standard, \$12 for township, and \$10 for section lines; and for heavily-timbered lands, at augmented rates, not exceeding \$18 for standard, \$16 for township, and \$14 per mile for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	40, 000	35, 000
In Idaho: 8. At rates not exceeding \$15 per linear mile for standard, \$12 for township, and \$10 for section lines; and for heavily timbered lands, at augmented rates, not exceeding \$18 per linear mile for standard, \$16 for township, and \$14 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	20, 000	14, 400
In New Mexico: 9. At rates not exceeding \$15 per linear mile for standard, \$12 for township, and \$10 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	10, 000	14, 400
In California: 10. At rates not exceeding \$15 per linear mile for standard, \$14 for township, and \$12 for section lines; and for heavily timbered mountain land, at augmented rates, not exceeding \$18 per linear mile for standard, \$16 for township, and \$14 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	40, 000	17, 700
In Oregon: 11. At rates not exceeding \$15 per linear mile for standard, \$14 for township, and \$12 for section lines; and for heavily timbered lands lying west of the Cascade Mountains, at augmented rates, not exceeding \$18 per linear mile for standard, \$16 for township, and \$14 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	30, 000	16, 050
In Washington: 12. At rates not exceeding \$15 per linear mile for standard, \$14 for township, and \$12 for section lines; and for heavily timbered lands lying west of the Cascade Mountains, at augmented rates, not exceeding \$18 per linear mile for standard, \$16 for township, and \$14 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	30, 000	16, 050
In Utah: 13. At rates not exceeding \$15 per linear mile for standard, \$12 for township, and \$10 for section lines; and for heavily timbered mountain land, at augmented rates, not exceeding \$18 per linear mile for standard, \$16 for township, and \$14 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	20, 000	16, 050

\* Apportionment out of appropriations of \$300,000 for survey of public lands and private land claims during the year ending June 30, 1878.

*Estimates of appropriations required, &c.—Continued.*

Detailed objects of expenditure, and explanations.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1878.
In Nevada:		
14. At rates not exceeding \$15 per linear mile for standard, \$12 for township, and \$10 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	\$20,000	\$16,050
In Wyoming:		
15. At rates not exceeding \$15 per linear mile for standard, \$12 for township, and \$10 for section lines; and for heavily timbered lands, at augmented rates, not exceeding \$18 per linear mile for standard, \$16 for township, and \$14 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	20,000	14,400
In Arizona:		
16. At rates not exceeding \$15 per linear mile for standard, \$12 for township, and \$10 for section lines, (R. S., p. 441, secs. 2395, 2413; appropriated, 19 Stat., p. 348, sec. 1.)	10,000	8,850
<i>Surveying confirmed private land claims in California.</i>		
Surveying confirmed private land claims in California, at the rates prescribed by law, including office expenses incident to the service, (R. S., p. 392, sec. 2223; appropriated, 19 Stat., p. 348, sec. 1.)	10,000	6,000
<i>Surveying private land claims in New Mexico.</i>		
Surveying private land claims in New Mexico, at a rate not exceeding \$16 per linear mile, (R. S., p. 392, sec. 2223; appropriated, 19 Stat., p. 348, sec. 1.)	30,000	33,500
<i>Surveying private land claims in Colorado.</i>		
Surveying private land claims in Colorado, at a rate not exceeding \$16 per linear mile, (R. S., p. 392, sec. 2223; appropriated, 19 Stat., p. 348, sec. 1.)	1,000	2,000
<i>Surveying private land claims in Arizona.</i>		
Surveying private land claims in Arizona, at a rate not exceeding \$16 per linear mile, (R. S., p. 392, sec. 2223; appropriated, 19 Stat., p. 348, sec. 1.)	3,000	5,000
<i>Surveying private land claims in Florida.</i>		
17. Adjusting claims between the Watson & Orr and Whitner lines, extending from the confluence of the Flint and Chattahoochee Rivers to the source of Saint Mary's River, (March 13, 1860, 12 Stat., p. 11, sec. 1; April 9, 1872, 17 Stat., p. 52, sec. 1; submitted.)	5,000	.....
<i>Completion of surveys in States where surveyors general's offices have been closed.</i>		
18. Completing surveys in those States where the offices of surveyors general have been closed, (act of June 12, 1840, 2 Stat., p. 384, and act of January 22, 1853, 10 Stat., p. 152; R. S., p. 391, secs. 2218, 2219; submitted.)	5,000	.....
<i>Survey of boundary between Colorado and Utah.</i>		
19. Survey of the boundary line between Colorado and Utah, being so much of the 32d meridian of longitude west from Washington Observatory as lies between the 37th and 41st degrees of north latitude, at a rate not exceeding \$70 per linear mile; estimated distance 280 miles; (submitted.)	19,600	.....
<i>Survey of boundary between the Territories of Arizona and Utah.</i>		
20. For survey of the boundary between Arizona and Utah, being so much of the 37th parallel of north latitude as is included between the 32d and 37th meridians of longitude west from Washington Observatory, at a rate not exceeding \$70 per linear mile; estimated distance 277 miles; (submitted.)	19,390	.....
<i>Reconnoissance of surveying districts.</i>		
21. For preliminary examination of the surveying districts by surveyors general, to enable them to let contracts for the survey of public lands of the classes allowed by law; (submitted.)	10,000	.....

*Estimates of appropriations required, &c.—Continued.*

Detailed objects of expenditure, and explanations,		Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1878, \$300,000.
<i>Examination of public surveys.</i>			
22. Occasional examinations of public surveys in the several surveying districts in order to test the accuracy of the work in the field, (R. S., p. 392, sec. 2223; appropriated, 19 Stat., p. 348, sec. 1.)		15, 000	10, 000
<i>Unfinished records of surveyors general.</i>			
23. Completing unfinished records of surveys in Arkansas and Missouri; (submitted.)		5, 000	.....
<i>Appraisement and sale of military reservations.</i>			
24. For the appraisement of land and the buildings heretofore erected by the United States, and sale of the same to the highest bidder; (submitted.)		6, 000	.....
Total.....		549, 990	.....

## EXPLANATION OF THE FOREGOING ESTIMATES.

1. The \$40,000 is estimated for surveys and resurveys of public lands and private land claims, principally in the southwestern district, where the evidences of the original surveys of 60 years' standing have entirely disappeared, and the lands cannot be disposed of for want of proper and necessary metes and bounds.

2. The \$6,000 is submitted for completing the surveys of public lands in Florida, and for extending the subdivisional lines over the lands lying between the Watson and Orr and Whitner boundary lines of Georgia and Florida, under act of Congress of April 9, 1872, (17 Stat., p. 52.)

3. The \$25,000 is estimated for the continuation of the lines of public surveys in Minnesota containing settlements, or such as are calculated for immediate occupation by settlers; also for the survey of timber lands.

4. The \$50,000 is submitted for the surveys of public lands in Dakota Territory, required to satisfy and accommodate the demands and needs of the settlers seeking homes in the Territory, and miners in the Black Hills.

5. The \$30,000 is estimated for the survey of public lands required for settlement, and of timbered lands principally on mountain slopes, difficult of survey, but needed for bringing them into private ownership, and thereby preventing spoliation extensively being committed to the detriment of the public interests.

6. The \$30,000 is estimated for the survey of arable and timber lands.

7. The \$10,000 is submitted for the survey of arable, mineral, and timber lands.

8. The \$20,000 is submitted for continuing the surveys to accommodate actual settlers.

9. The \$10,000 is estimated for the survey of agricultural and timber lands needed for settlement.

10. The \$40,000 is submitted for survey of public lands, for which applications have been made by settlers, and of timber lands.

11. The \$30,000 is estimated for the extension of the lines of public surveys over settlements already made and awaiting the surveys; also for the survey of timber lands.

12. The \$30,000 is submitted for the survey of arable lands required for settlements and of timber lands.

13. The \$20,000 is estimated for the survey of agricultural, mineral, and timber lands.

14. The \$20,000 is submitted for the survey of arable and mineral lands; also for timber lands to accommodate actual settlers on the lands and the miners, and thereby protect the timber from spoliation and the government from loss in the disposal of lands denuded of timber.

15. The \$24,000 is estimated mainly for surveys within the limits of the Union Pacific Railroad grant; also for lands containing coal, and mineral lands in the Black Hills.

16. The \$10,000 is estimated for the extension of the lines of public surveys over settlements already made and over lands containing minerals and timber.

17. The \$5,000 is submitted to cover the expenses of a surveyor for the purpose of ascertaining the lands sold by the State of Georgia lying south of the Orr & Whitner line, and north of the Watson line, in order that the titles to the same may be adjudicated by the Secretary of the Interior when the possessory rights to the conflicting claims shall have been ascertained, and the requisite surveys of the same are made under act of Congress approved April 9, 1872.

18. The sum of \$5,000 is estimated to cover expenses of completing fragmentary surveys of public lands left unsurveyed at the time the offices of surveyors general in eleven surveying districts were closed, to be completed by the Commissioner of the General Land Office under the law.

19. The estimate of \$19,600 is necessary to separate the political jurisdiction, so that the respective inhabitants may know to which particular territory their rights of citizenship belong. The boundary is needed to close the lines of public surveys upon, projected from different bases and meridians; also to enable the local land officers to know that public lands disposed of by them are within their respective districts, and to afford facilities to settlers on surveyed and unsurveyed public lands to apply to the proper land officers to file declarations to enter lands.

20. The estimate of \$19,390 is required to separate the political jurisdiction of the Territories. The boundary line is necessary to close the lines of public surveys in Utah Territory, and also to use it as a base line to start the surveys of public lands in the San Juan River Valley, requiring separate base and meridian in the eastern portion of Utah.

21. The sum of \$10,000 is needed to cover expenses of the reconnoissances to be made by the surveyors general with the view of ascertaining, personally, such regions of their districts as are settled on by *bona fide* pre-emptors, miners, and other settlements or lands suitable for agricultural and timber purposes, so that they may avoid the expenditure of appropriations in surveys of sterile and waste lands, and subserve legitimate interests of the service.

22. \$15,000 is estimated to cover expenses of examiners, to be designated by the Commissioner of the General Land Office or surveyors general, to test the fidelity of the execution of the field work; also to enable the surveyors general to satisfy themselves of the correctness of the returns made of the field work, where doubts exist as to the faithful execution of the work, before approval of the same.

23. For preparing duplicate and triplicate township plats and transcripts of field notes of surveys for the General Land Office and registers of local land offices, left uncompleted at the time the respective offices of surveyors general were closed, and now placed in this office to be finished so that the original records may be turned over to the State authorities as the law requires.

24. The lines of the public surveys have already been extended over the reservations as provided by law, but there being no means at the disposal of the department to cover the expenses of the appraisalment, advertisement, and sale, this estimate is submitted for that purpose.

J. A. WILLIAMSON, *Commissioner.*

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE, September 26, 1877.

No. 14.—*Estimates of appropriations required for the service of the fiscal year ending June 30, 1879, by the General Land Office.*

Detailed objects of expenditure, and explanations.	Estimated amount which will be re- quired for each detailed object of expenditure.	Total amount to be appropriated un- der each head of appropriation.	Amount appropri- ated for the cur- rent fiscal year ending June 30, 1878.
PUBLIC LANDS.			
Office of surveyor general of Louisiana. a			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 390, sec. 2208; 19 Stat., p. 315, sec. 1.)	\$2,000	} \$20,000	\$3,830
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	18,000		
Contingent expenses:			
Fuel, books, stationery, messenger hire, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	-----	2,000	1,000
Office of surveyor general of Florida. b			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 390, sec. 2208; 19 Stat., p. 315, sec. 1.)	2,000	} 6,200	3,800
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	4,200		
Contingent expenses:			
Rent of office for surveyor general, fuel, books, stationery, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	-----	1,000	1,000
Office of surveyor general of Minnesota. c			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 390, sec. 2208; 19 Stat., p. 315, sec. 1.)	2,000	} 9,500	7,000
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	7,500		
Contingent expenses:			
Fuel, books, stationery, pay of messenger, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	-----	1,500	1,500
Office of surveyor general of Dakota. d			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 390, sec. 2208; 19 Stat., p. 315, sec. 1.)	2,000	} 8,500	5,500
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	6,500		
Contingent expenses:			
Rent of office of surveyor general, fuel, books, stationery, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	-----	2,500	1,500

No. 14.—*Estimates of appropriations required, &c.*—Continued.

Detailed objects of expenditure, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1878.
<i>Office of surveyor general of Colorado. e</i>			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 391, sec. 2210; 19 Stat., p. 315, sec. 1.)	\$3, 000	} \$10, 200	\$5, 500
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	7, 200		
Contingent expenses:			
Rent of office for surveyor general, fuel, books, stationery, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	-----	3, 000	1, 500
<i>Office of surveyor general of New Mexico. f</i>			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 391, sec. 2210; 19 Stat., p. 315, sec. 1.)	3, 000	} 13, 600	7, 500
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	10, 600		
Contingent expenses:			
Rent of office for surveyor general, fuel, books, stationery, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	-----	4, 500	1, 500
<i>Office of surveyor general of California. g</i>			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 391, sec. 2210; 19 Stat., p. 315, sec. 1.)	3, 000	} 23, 000	12, 750
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	20, 000		
Contingent expenses:			
Fuel, books, stationery, pay of messenger, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	-----	5, 000	3, 000
<i>Office of surveyor general of Idaho. h</i>			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 391, sec. 2210; 19 Stat., p. 315, sec. 1.)	3, 000	} 7, 000	5, 000
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	4, 000		
Contingent expenses:			
Rent of office for surveyor general, fuel, books, stationery, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	-----	2, 000	1, 500
<i>Office of surveyor general of Nevada. i</i>			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 391, sec. 2210; 19 Stat., p. 315, sec. 1.)	3, 000	} 9, 300	5, 500
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	6, 300		
Contingent expenses:			
Rent of office for surveyor general, fuel, books, stationery, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	-----	4, 000	1, 500
<i>Office of surveyor general of Oregon. j</i>			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 390, sec. 2209; 19 Stat., p. 315, sec. 1.)	2, 500	} 9, 700	7, 000
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	7, 200		
Contingent expenses:			
Fuel, books, stationery, pay of messenger, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	-----	1, 500	1, 500
<i>Office of surveyor general of Washington. k</i>			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 390, sec. 2209; 19 Stat., p. 315, sec. 1.)	2, 500	} 9, 700	6, 500
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	7, 200		
Contingent expenses:			
Rent of office for surveyor general, fuel, books, stationery, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	-----	2, 000	1, 500

No. 14.—*Estimates of appropriations required, &c.*—Continued.

Detailed objects of expenditure, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1878.
<i>Office of surveyor general of Nebraska and Iowa. l</i>			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 390, sec. 2208; 19 Stat., p. 315, sec. 1.)	2,000	}	8,300
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	6,300		
Contingent expenses:			
Rent of office for surveyor general, fuel, books, stationery, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	.....	3,000	1,500
<i>Office of surveyor general of Montana. m</i>			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 391, sec. 2210; 19 Stat., p. 315, sec. 1.)	3,000	}	10,500
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	7,500		
Contingent expenses:			
Rent of office for surveyor general, fuel, books, stationery, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	.....	4,000	1,500
<i>Office of surveyor general of Utah. n</i>			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 391, sec. 2210; 19 Stat., p. 315, sec. 1.)	3,000	}	10,100
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	7,100		
Contingent expenses:			
Rent of office for surveyor general, fuel, books, stationery, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	.....	2,500	1,500
<i>Office of surveyor general of Wyoming. o</i>			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 391, sec. 2210; 19 Stat., p. 315, sec. 1.)	3,000	}	9,300
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	6,300		
Contingent expenses:			
Rent of office for surveyor general, fuel, books, stationery, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	.....	2,500	1,500
<i>Office of surveyor general of Arizona. p</i>			
Salaries:			
Surveyor general, per act March 3, 1877, (R. S., p. 391, sec. 2210; 19 Stat., p. 315, sec. 1.)	3,000	}	8,500
Clerks in his office, (R. S., p. 393, sec. 2226; appropriated, 19 Stat., p. 315, sec. 1.)	5,500		
Contingent expenses:			
Rent of office for surveyor general, fuel, books, stationery, and other incidental expenses, (R. S., p. 393, sec. 2227; appropriated, 19 Stat., p. 349, sec. 1.)	.....	2,500	1,500
Total.....	.....	216,900	

## NOTES.

a The \$18,000 is estimated for compensation of clerk hire, consisting of four regular clerks and draughtsmen, calling for \$6,000, and twelve \$1,000 clerks to bring up the arrears in office work of many years' standing, viz. to prepare duplicate patent plate of confirmed private land claims, of which there are about 6,000 entitled to patents, and which cannot be patented until such plates are made. Also to transcribe field notes of surveys of about 750 townships, for a long while in arrears, and requiring one month of time to copy the notes of six townships by one clerk. Very limited appropriations for office work in former years caused so extensive arrears.

b The \$4,200 for clerk hire is submitted, it being actually required to transact the current work and to bring up the arrears in office work retarded by former inadequate appropriations for the same; the arrears consist of 102 townships of descriptive notes of surveys for register's office, 76 index diagrams to original field notes, and 27 original township plates, and the completion of the condensed history of the private land claims of volume No. 4.

c The \$7,500 is estimated for clerk hire, to enable the surveyor general to employ six of them to attend properly to the current office work, as well as to the bringing up of the work remaining in arrears on account of heretofore restricted appropriations for the purpose. There are 23 townships,



No. 14.—*Estimates of appropriations required, &c.*—Continued.

the field notes of which must be transcribed, 128 to be recorded, 24 descriptive lists for the registers and for record, and 47 township plats to be constructed.

*d* The sum of \$6,500 is estimated for compensation of five employes in the surveyor general's office, consisting of a chief clerk, two draughtsmen, and two transcribing clerks, actually necessary to keep pace with the field work and avoid any arrears in the office work. The \$2,500 submitted for incidental expenses of the office is reported by the surveyor general as absolutely needed to maintain the office and pay of messenger. The reduced appropriation for the same objects for the present fiscal year is inadequate to cover the necessary expenses.

*e* The \$7,200 is estimated for the compensation of five clerks and draughtsmen in the surveyor general's office, to attend to the office-work consequent on surveys of public lands and mineral surveys, which latter are sensibly increasing in Colorado, and involve considerable labor in the preparation of the requisite work. Arrears of four years are reported by the surveyor general, and the fact that the appropriation for the current year has been reduced to less than one-half the amount estimated, the present estimate will be actually needed for the service.

*f* The \$10,600 is submitted for compensation of chief clerk and translator of Spanish language in the adjudication of private-land claims in New Mexico \$2,000 per annum; two draughtsmen at \$1,500 each, and four clerks at \$1,400 each; this force is deemed necessary in view of the diminished appropriation for the like service of the current fiscal year, and also of the arrears existing in the preparation of diagrams of private land claims for the registers, showing the surveyed limits of the same. The \$4,500 estimated for incidental expenses are to cover a fire proof safe and renewal of furniture dilapidated by wear and tear of twenty years' use thereof, &c.

*g* The \$20,000, estimated for clerk hire in the office of the surveyor general of California, is to enable him to successfully cope with a very diversified office work called for by numerous acts of Congress. The maximum allowance by the organic law of \$11,000 per annum having been found inadequate for several years past, appropriations were made of larger sums for the service, but not sufficient for bringing up the great arrears in the preparation of descriptive notes for the local land-officers, as required by law. The \$5,000, submitted for incidental expenses of the office, is necessary to meet the pay of messenger, \$900 per annum, and other expenses, which, in consequence of the reduced appropriation for the present fiscal year, will demand entire supply of stationery, &c., for the year, and to purchase two fire-proof safes, furniture, &c., to replace old and worthless safes and furniture.

*h* The \$4,000, estimated for the compensation of clerks in the surveyor general's office, covers scarcely the pay of three clerks for the whole fiscal year, the third clerk receiving \$700 for a part of the year. The \$2,500, submitted for incidental expenses of the office, goes in payment of a messenger, \$600 per annum, and rent of the surveyor general's office, leaving the balance for stationery and other incidental expenses.

*i* The \$6,300 is estimated for clerk hire in the office of the surveyor general of Nevada, to cover the compensation of clerks and draughtsmen to attend to the service of the pressing public concerns, necessitated by the surveys of the agricultural, mineral, and other surveys; the extended mineral land surveys demanding considerable labor in order to expedite the returns of numerous surveyors. The \$4,000 here submitted for incidental expenses of the office of surveyor general are called for to meet the payment of \$1,200 for the rent of the office, compensation of messenger, \$700, and sundry other expenses actually needed for the efficient discharge of duties devolved on the surveyor general of Nevada, and to supply furniture destroyed by fire.

*j* The \$7,200 is submitted for the compensation of five clerks in the surveyor general's office, at usual rates per annum, actually needed to attend to the current official business, and to bring up the accumulated arrears in office work since 1862, especially in regard to the swamp-land business, and the transcription of donation claim field notes of survey, the original being in dilapidated condition.

*k* The \$7,200 are submitted for the compensation of clerks in the office of surveyor general of Washington Territory, required for the purpose, not only to expedite the current office work, but to bring up considerable arrears in the transcription of the field notes of former surveys of the public lands and donation claims, and recording the same as required by law, the accumulation of this kind of work having taken place during ten years in consequence of insufficient means provided for that purpose. As the original field notes are in a very dilapidated condition, further delay in transcribing them in proper books will cause great loss, and embarrass not only the public interest, but those of individual owners of lands.

*l* The \$6,300, estimated for clerk hire is to cover the pay of five clerks actually needed for the transaction of the ordinary business of the office, and which amount is allowed by law. The \$1,000 submitted for incidental expenses is to cover binding of the original field notes of surveys of past years, pay of messenger, and rent of the office, &c.

*m* The \$7,500 is estimated for the pay of clerks in the surveyor general's office. To transact the official business consequent on the survey of agricultural and mineral lands in Montana, especially the latter surveys being on an increase, will demand constant work in the examination of complicated claims, protraction of numerous plats, recording the same, transcribing field notes, and other duties devolving on the clerks, too numerous to state. The \$4,000 is submitted for binding the original field notes of surveys, backing with cloth township plats, additional furniture, pay of messenger, and rent of office. All these are much needed and will absorb the amount.

*n* The \$7,100 is submitted for the compensation of clerks in the office of surveyor general of Utah, indispensably needed, to attend to extensive surveys of mineral claims, preparation of maps and field notes of the thirty-one mining districts, and to transact the usual regular business in the office, which will have been delayed on account of small appropriation made for the service during the present fiscal year.

*o* The \$6,700 is submitted for compensation of four clerks in the office of surveyor general of Wyoming Territory, required to transact the official business devolving on it, and to bring up the arrears, consisting of the preparation of descriptive lists of corner boundaries of public lands, quality of soil and timber of 118 townships, requiring 236 lists for the local land offices, and for the record in surveyor general's office.

*p* The \$5,500 is estimated for clerk hire in the office of surveyor general of Arizona Territory. This amount is actually required to pay clerks in his office, including one versed in the English and Spanish languages, to assist in the duties of examining and reporting upon titles to private land claims, the duty devolved on the surveyor general by the proviso to the appropriation act of July 15, 1870, (Statutes, vol. 16, p. 304.) The surveyor general reports the living in Arizona as being 25 per cent. higher than in any other surveying district.

J. A. WILLIAMSON,  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
General Land Office, September 26, 1877.

No. 15.—*Estimates of appropriations required for the service of the fiscal years ending June 30, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, and 1878 by the General Land Office.*

[See Revised Statutes, title 41, page 725, sections 3660 to 3671, and Statutes, pamphlet edition, chapter 129, page 370, section 3, act of March 3, 1875.]

Detailed objects of expenditure, and explanations.		Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the fiscal year for which the appropriation is required.
<i>Surveying public lands. a</i>				
<b>Arizona:</b>				
Solomon W. Foreman, deputy surveyor, under contract August 1, 1871, per act March 3, 1871, (16 Stat., p. 502, sec. 1.)	.....	\$75 11	.....	\$20,000
Theodore F. White, deputy surveyor, under contract May 13, 1873, per act March 3, 1873, (17 Stat., p. 516, sec. 1.)	.....	45 94	.....	20,000
Theodore F. White, deputy surveyor, under contract September 23, 1874, per act June 23, 1874, (18 Stat., p. 212, sec. 1.)	.....	81 84	.....	20,000
Theodore F. White, deputy surveyor, under contract June 25, 1875, per act March 3, 1875, (18 Stat., p. 383, sec. 1.)	.....	\$67 53	.....	.....
Theodore F. White, deputy surveyor, under contract December 6, 1875, per act March 3, 1875, (18 Stat., p. 383, sec. 1.)	.....	213 27	280 80	20,000
<b>California:</b>				
Joseph J. Cloud, deputy surveyor, under contract April 6, 1871, per act July 15, 1870, (16 Stat., p. 304, sec. 1.)	.....	.....	9 39	50,000
J. R. Glover, deputy surveyor, under contract September 16, 1875, per act March 3, 1875, (18 Stat., p. 383, sec. 1.)	.....	388 21	.....	.....
F. T. Perria, deputy surveyor, under contract January 31, 1876, per act March 3, 1875, (18 Stat., p. 383, sec. 1.)	.....	268 66	.....	.....
John Gilchrist, deputy surveyor, under contract January 21, 1876, per act March 3, 1875, (18 Stat., p. 383, sec. 1.)	.....	535 94	.....	.....
John A. Benson, deputy surveyor, under contract December 13, 1875, per act March 3, 1875, (18 Stat., p. 383, sec. 1.)	.....	491 60	.....	.....
D. D. Brown, deputy surveyor, under contract July 19, 1875, per act March 3, 1875, (18 Stat., p. 383, sec. 1.)	.....	282 64	.....	.....
S. W. Brunt, deputy surveyor, under contract June 10, 1875, per act March 3, 1875, (18 Stat., p. 383, sec. 1.)	.....	2, 205 11	.....	.....
William Minto, deputy surveyor, under contract June 26, 1875, per act March 3, 1875, (18 Stat., p. 383, sec. 1.)	.....	2, 266 85	6, 439 01	70,000
<b>Florida:</b>				
John A. Henderson, deputy surveyor, under contract December 23, 1875, per act March 3, 1875, (18 Stat., p. 383, sec. 1.)	.....	.....	302 63	10,000
<b>Louisiana:</b>				
Pierre A. Thibodeaux, deputy surveyor, under contract July 17, 1875, per act March 3, 1875, (18 Stat., p. 383, sec. 1.)	.....	.....	57 50	15,000
<b>Oregon:</b>				
William E. Smith, deputy surveyor, under contract May 4, 1871, per act March 3, 1871, (16 Stat., p. 502, sec. 1.)	.....	.....	70 55	50,000
S. Corwin and J. C. Handley, deputy surveyors, under contract February 28, 1873, per act June 10, 1872, (17 Stat., p. 355, sec. 1.)	.....	.....	263 52	70,000
Jasper W. Wilkins, deputy surveyor, under contract June 21, 1873, per act March 3, 1873, (17 Stat., p. 516, sec. 1.)	.....	65 86	.....	.....
Jasen Owen, deputy surveyor, under contract July 1, 1873, per act March 3, 1873, (17 Stat., p. 516, sec. 1.)	.....	55 83	.....	.....
John D. Crawford, deputy surveyor, under contract July 9, 1873, per act March 3, 1873, (17 Stat., p. 516, sec. 1.)	.....	181 54	.....	.....
William H. Byars, deputy surveyor, under contract July 14, 1873, per act March 3, 1873, (17 Stat., p. 516, sec. 1.)	.....	12 13	.....	.....
L. F. Bannin and N. O. Walden, deputy surveyors, under contract July 15, 1873, per act March 3, 1873, (17 Stat., p. 516, sec. 1.)	.....	80 11	395 47	70,000
J. H. Evans and J. G. Gray, deputy surveyors, under contract July 6, 1874, per act June 23, 1874, (18 Stat., p. 213, sec. 1.)	.....	.....	15 12	60,000
<i>Survey of public lands. b</i>				
<b>New Mexico:</b>				
William H. McBroom, deputy surveyor, under contract September 27, 1876, per act July 31, 1876, (19 Stat., p. 120, sec. 1.)	.....	104 45	.....	.....
<b>Arizona:</b>				
Theodore F. White, deputy surveyor, under contract December 7, 1876, per act July 31, 1876, (19 Stat., p. 120, sec. 1.)	.....	113 54	.....	.....
<b>Nevada:</b>				
G. W. Garstide, deputy surveyor, under contract November 11, 1876, per act July 31, 1876, (19 Stat., p. 120, sec. 1.)	.....	256 31	474 30	300,000
<i>Surveying private land claims. c</i>				
<b>New Mexico:</b>				
Sawyer and McBroom, deputy surveyors under contract April 15, 1876, per act March 3, 1875, (18 Stat., p. 384, sec. 1.)	.....	.....	472 83	10,000

No. 15.—*Estimates of appropriations required, &c.*—Continued.

Detailed objects of expenditure, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each appropriation.	Amount appropriated for the fiscal year for which the appropriation is required.
<i>Survey of boundaries of Indian reservations. d</i>			
California: John A. Benson, deputy surveyor, under contract November 14, 1876, (submitted.)	-----	\$913 46	-----
<i>Incidental expenses. e</i>			
Office of surveyor general of Idaho: To pay L. F. Cartée, surveyor general of Idaho, for expenses incurred in investigating certain surveys, under instructions from the General Land Office, dated November 19, 1868, being a deficiency for the fiscal year 1871 and prior years, per act July 15, 1870, (16 Stat., p. 293, sec. 1.)	-----	299 94	\$2, 000
<i>Salaries.</i>			
Office of surveyor general of Colorado: <i>f</i> Clerks in his office, per act March 3, 1877, (19 Stat., p. 315, sec. 1.)	-----	2, 500 00	3, 000
Office of surveyor general of Arizona: <i>f</i> Clerks in his office, per act March 3, 1877, (19 Stat., p. 315, sec. 1.)	-----	2, 500 00	3, 000
<i>Contingent expenses.</i>			
Office of surveyor general of Colorado: <i>f</i> For rent of office, fuel, books, stationery, and other necessities, per act March 3, 1877, (19 Stat., p. 349, sec. 1.)	-----	1, 000 00	1, 500
Office of surveyor general of Arizona: <i>f</i> For rent of office, fuel, books, stationery, and other necessities, per act of March 3, 1877, (19 Stat., p. 349, sec. 1.)	-----	1, 000 00	1, 500
Office of surveyor general of Nevada: <i>g</i> For salary of messenger in surveyor general's office from July 1, 1876, to June 30, 1877, per act July 31, 1876, (19 Stat., p. 122, sec. 1.)	\$480 00	-----	-----
For amount due A. L. Bancroft & Co. for stationery, per act July 31, 1876, (19 Stat., p. 122, sec. 1.)	68 75	548 75	1, 500
<i>Surveying public lands. h</i>			
Louisiana: S. P. Henry, deputy surveyor, contract dated January 21, 1875, per act June 23, 1874, (18 Stat., p. 212, sec. 1.)	-----	750 00	15, 000
<i>Salaries. i</i>			
Office of surveyor general of New Mexico: For salaries of clerks in his office, per act March 3, 1877, (19 Stat., p. 315, sec. 1.)	-----	3, 000 00	5, 000
Total.....	-----	21, 496 16	-----

*a* The foregoing estimates are submitted in order to liquidate balances due to the deputy surveyors for surveys executed under their respective contracts entered into with the respective surveyors general of the United States and Territories. The deficiencies were caused by said surveyors general underestimating the cost of the work embraced in the contracts; but as the surveys have been approved and are available to the government in the disposal of the lands thus surveyed, the respective sums are submitted.

*b* The foregoing estimates are for deficiencies arising under limited contracts, the amounts submitted being in excess of the respective contracts, caused by the respective surveyors general underestimating the cost of the work. The lands surveyed were included in the contracts, and the surveys have been approved and made available in the disposal of the lands so surveyed; the respective sums are submitted.

*c* Sawyer and McBroom's contract was limited to the sum of \$9,900. The surveys executed by them under their contract amounted to \$10,372.83, exceeding the limit by \$472.83. The private land claims surveyed were authorized by their contract, and the surveys having been approved this item is submitted.

*d* The above contract was for the surveying of the outboundaries of the Round Valley Indian reservation in California, for which no appropriation is applicable. It was necessary, however, to have the boundaries of this Indian reservation surveyed in order to make the adjacent public lands available and to keep white settlers from intruding on the reservation.

*e* The sum of \$299.94 is submitted to refund the expenses incurred in investigating certain surveys in the field, under instructions from the Commissioner of the General Land Office, dated November 19, 1868, the contingent fund of the surveyor general's office not admitting at the time of liquidating the amount due him. This estimate was formerly submitted for appropriation, but not eventuating in any

provision for the purpose, and the claim being a just one and of long standing, is herewith submitted again with recommendation that it receive favorable action.

f The above estimated deficiencies arise from the fact that Congress has imposed upon the United States surveyors general the duty of examining and reporting upon the validity of title to private land claims in Arizona and Colorado. The estimated amount for clerk hire being for the pay of a competent clerk in each office, versed in the English and Spanish languages, to act as translators, and the deficiencies in contingent expenses arise also under the duties of the United States surveyors general in examining and adjudicating private land claims. These estimates are necessary for the public service unless Congress should, as recommended by the Commissioner of the General Land Office, devolve said duties upon a board of commissioners to be authorized to act for that purpose.

g The foregoing deficiency in the salary of messenger in the surveyor general's office arises from the fact that the appropriation of \$1,500, for the fiscal year ending June 30, 1877, was insufficient to pay the salary of the messenger and defray the other necessary incidental expenses of the office. The messenger was retained in the service by the surveyor general during the period specified, and being entitled to his pay for said services, the above estimate is submitted. The estimate of \$68.75 is for stationery purchased by the surveyor general during the fiscal year ending June 30, 1877. The appropriation for that year having been exhausted the amount is submitted for appropriation.

h It is estimated that the surveys under the above contract will amount to \$750. An unexpended balance of \$417.21 of the appropriation to which it is properly chargeable was carried to surplus fund July 12, 1877, but being insufficient to defray the estimated cost of the surveys under the above contract, the amount is submitted as a deficiency.

i The above estimate is submitted for salaries of two draughtsmen and two copyists for six months in the office of the surveyor general of New Mexico. The sum of \$33,500 having been apportioned to New Mexico for the survey of private land claims from the appropriation of \$300,000 of March 3, 1877, for the survey of public and private lands, the appropriation of \$5,000 of March 3, 1877, for salaries of clerks in said office will not be sufficient to pay the salaries of the clerks necessary to perform the work arising under the above large apportionment and keep up the current business of the office. The services of the present force of clerks will be required to perform the work arising under the survey of public lands.

J. A. WILLIAMSON,  
*Commissioner.*

DEPARTMENT OF THE INTERIOR,  
*General Land Office, September 26, 1877.*

No. 16.—*Estimates of balances of appropriations carried to the surplus fund under the provisions of the fifth section of the act of June 20, 1874, required to be reappropriated for the service of the fiscal year ending June 30, 1874, by the General Land Office.*

[See Revised Statutes, title 41, page 725, sections 3660 and 3671, and Statutes, 18, chapter 129, page 37 section 3, act of March 3, 1875.]

Detailed objects of expenditure, and explanations.	Total amount to be appropriated under each head of appropriation.	Amount carried to the surplus fund July 1, 1876.
<p style="text-align: center;"><i>Surveying public lands.*</i></p> <p>Louisiana: George O. Elms, deputy surveyor, contract dated June 20, 1874, per act March 3, 1873, (17 Stat., p. 515, sec. 1.)</p>	\$216 25	\$14,312 20

\* The unexpended balance of \$14,312.20 of the appropriation to which the foregoing amount was chargeable was carried to surplus fund July 12, 1876. The amount found to be due the deputy surveyor is therefore submitted for reappropriation.

J. A. WILLIAMSON,  
Commissioner.

DEPARTMENT OF THE INTERIOR,  
General Land Office, September 26, 1877.

No. 17.—*Historical and statistical table of the United States and Territories, showing the area of each in square miles and in acres; the date of organization of Territories; date of admission of new States into the Union; and the population of each State and Territory at the taking of last census in 1870.\**

Civil divisions.	Act organiz- ing Terri- tory.	United States Statutes.		Act admitting State.	United States Statutes.		Area of the States and Territories.		Number of acres surveyed up to June 30, 1877.	Area remaining unsurveyed on the 30th June, 1877.	Population in 1870.
		Vol.	Page.		Vol.	Page.	In square miles.	In acres.			
THE THIRTEEN ORIGINAL STATES.											
New Hampshire.....							9,280	5,939,200			318,300
Massachusetts.....							7,800	4,992,000			1,457,351
Rhode Island.....							1,306	835,840			217,353
Connecticut.....							4,750	3,040,000			537,454
New York.....							47,000	30,080,000			4,382,759
New Jersey.....							8,320	5,324,800			906,096
Pennsylvania.....							46,000	29,440,000			3,521,951
Delaware.....							2,120	1,356,800			125,015
Maryland.....							11,124	7,119,360			760,894
Virginia.....							38,348	24,542,720			1,225,163
North Carolina.....							50,704	32,450,560			1,071,361
South Carolina.....							34,000	21,760,000			705,606
Georgia.....							58,000	37,120,000			1,184,109
STATES ADMITTED.											
Kentucky.....				Feb. 4, 1791	1	189	37,680	24,115,200			1,321,011
Vermont.....				Feb. 18, 1791	1	191	10,212	6,535,680			330,551
Tennessee.....				June 1, 1796	1	491	45,600	29,184,000			1,258,520
Maine.....				Mar. 3, 1820	3	544	35,000	22,400,000			626,915
Texas.....				Dec. 29, 1845	9	108	274,356	175,587,840			818,579
West Virginia.....				Dec. 31, 1862	12	633	23,000	14,720,000			442,014
PUBLIC LAND STATES AND TERRITORIES.											
States.											
Ohio.....				Apr. 30, 1802	2	173	39,964	25,576,960	25,576,960		2,665,260
Louisiana.....	Mar. 3, 1805	2	331	Apr. 8, 1812	2	701	41,346	26,461,440	25,232,044	1,229,396	726,915
Indiana.....	May 7, 1800	2	58	Dec. 11, 1816	3	399	33,809	21,637,760	21,637,760		1,680,637
Mississippi.....	Apr. 7, 1798	1	549	Dec. 10, 1817	3	472	47,156	30,179,840	30,179,840		827,922
Illinois.....	Feb. 3, 1809	2	514	Dec. 3, 1818	3	536	55,410	35,462,400	35,462,400		2,539,891
Alabama.....	Mar. 3, 1817	3	371	Dec. 14, 1819	3	608	50,722	32,462,080	32,462,080		996,992
Missouri.....	June 4, 1812	2	743	Mar. 2, 1824	3	645	65,350	41,824,000	41,824,000		1,721,295
Arkansas.....	Mar. 2, 1819	3	493	June 15, 1836	5	50	52,198	33,406,720	33,406,720		484,471
Michigan.....	Jan. 11, 1805	2	309	Jan. 26, 1837	5	144	56,451	36,128,640	36,128,640		1,184,059
Florida.....	Mar. 30, 1822	3	654	Mar. 3, 1845	5	742	59,268	37,931,520	30,103,708	7,827,812	187,743
Iowa.....	June 12, 1838	5	235	Mar. 3, 1845	5	742	55,045	35,224,800	35,228,800		1,194,020
Wisconsin.....	Apr. 20, 1836	5	10	Mar. 3, 1847	9	178	53,924	34,511,360	34,511,360		1,054,670

California.....				Sept. 9, 1850	9	452	157,801	100,992,640	44,972,249	56,020,391	560,247
Minnesota.....	Mar. 3, 1849	9	403	Feb. 26, 1857	11	166	83,531	53,459,840	38,765,710	14,694,130	439,706
Oregon.....	Aug. 14, 1848	9	323	Feb. 14, 1859	11	383	95,274	60,975,360	19,923,816	41,051,544	90,923
Kansas.....	May 30, 1854	10	277	Jan. 29, 1861	12	126	80,891	51,770,240	51,770,240		364,399
Nevada.....	Mar. 2, 1861	12	209	Mar. 21, 1864	13	30	112,090	71,737,600	11,254,087	60,483,513	42,491
Nebraska.....	May 30, 1854	10	277	Feb. 9, 1867	14	391	75,995	48,636,800	39,234,402	9,402,398	122,993
Colorado.....	Feb. 28, 1861	12	172								
	Mar. 3, 1875	18	474				104,500	66,820,000	20,999,922	45,880,078	39,864
<i>Territories.</i>											
Wyoming.....	July 25, 1868	15	178				97,883	62,645,120	7,731,061	54,914,059	9,118
New Mexico.....	Sept. 9, 1850	9	446				121,201	77,568,640	7,920,750	69,647,890	91,874
Utah.....	Sept. 9, 1850	9	453				84,476	54,064,640	8,374,534	45,690,106	86,786
Washington.....	Mar. 2, 1853	10	172				69,994	44,796,160	12,568,568	32,227,592	23,955
Dakota.....	Mar. 2, 1861	12	239				150,932	96,596,480	20,520,214	76,076,266	14,181
Arizona.....	Feb. 24, 1863	12	664				113,916	72,906,240	4,666,883	68,239,357	9,658
Idaho.....	Mar. 3, 1863	12	803				86,294	55,228,160	6,193,013	49,035,147	14,999
Montana.....	May 26, 1864	13	85				143,776	92,016,640	9,918,986	82,097,654	20,595
Alaska.....	July 27, 1868	15	240				577,390	369,529,600		369,529,600	(†)
Indian Territory.....							68,991	44,154,240	27,003,900	17,150,250	(†)
District of Columbia.....	July 16, 1790	1	130				60	38,400			131,700
	Mar. 3, 1791	1	214								
Total.....							3,520,238	2,291,352,320	713,572,737	1,101,197,183	38,558,371

\* Boundaries.—Commencing at 54° 40' north latitude, ascending Portland Channel to the mountains, following their summits to 141° west longitude; thence north on this line to the Arctic Ocean, forming the eastern boundary. Starting from the Arctic Ocean west, the line descends Behring Strait, between the two islands of Krusenstern and Rotmanoff, to the parallel of 65° 30', and proceeds due north, without limitation, into the same Arctic Ocean. Beginning again at the same initial point, on the parallel of 65° 30', thence in a course southwest, through Behring Strait, between the island of Saint Lawrence and Cape Choukotski, to 172° west longitude, and thence southwesterly, through Behring Sea, between the islands of Alton and Copper, to the meridian of 193° west longitude, leaving the prolonged group of the Aleutian Islands in the possessions now transferred to the United States, and making the western boundary of our country the dividing line between Asia and America.

† No census taken.

#### NOTES.

The land surface of the United States, 3,580,238 square miles, when increased by the water surface of the great lakes and rivers, gives a total area to the United States of about 4,000,000 square miles.

The areas of the thirteen original States, and of States admitted as well as of States and Territories over which the public surveys have not yet been completed, are taken from geographical authorities.

The population of the United States, as shown by the ninth census, taken, in accordance with Constitutional requirements, in 1870, was 38,558,371, to which if added the number of "Indians not taxed," would give a true population of 38,925,598. The present population (1877) is estimated at 46,000,000.

Colorado.—Duly admitted as a State into the Union by proclamation of the President August 1, 1876, (Statutes at Large, pamphlet 1875-'76, page 7.)

Alaska.—The act of 1868 merely extends the laws of the United States relating to customs, commerce, and navigation over this Territory ceded by Russia, giving to the courts of California and Oregon jurisdiction of offenses under this act. The public land system has not yet been extended over the Territory of Alaska.

Indian Territory.—This Territory is attached to the western judicial district of Arkansas. (See act of Congress approved June 30, 1834. Statutes at Large, vol. 4, p. 729.)

Washington City, in the District of Columbia, is the political capital of the United States; is situated on the left bank of the Potomac River between two small tributaries—the one on the east called the Eastern Branch and the one on the west called Rock Creek, the latter separating it from Georgetown, which is also embraced within the limits of the District of Columbia, which is under the direct control of Congress. This territory, which formerly embraced the city of Alexandria, was ceded by the States of Maryland and Virginia to the general government. By act of July 9, 1846, the cession of Virginia was retroceded.





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**REPORTS**  
**OF THE**  
**UNITED STATES SURVEYORS GENERAL**  
**FOR THE**  
**FISCAL YEAR ENDING JUNE 30, 1877.**

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*A.—Report of the surveyor general of Louisiana.*

OFFICE OF THE SURVEYOR GENERAL OF LOUISIANA,  
*New Orleans, La., August 23, 1877.*

SIR: Herewith I have the honor to submit to you my annual report for this surveying district for the fiscal year ending June 30, 1877, with the usual tabular statements of field and office work, to wit:

A.—Being statement of surveying contracts entered into by the surveyor general of Louisiana on account of appropriation for the year ending June 30, 1874.

B.—Being statement of surveying contracts entered into by the surveyor general of Louisiana on account of the appropriation for the year ending June 30, 1875.

C.—Being statement of surveying contracts entered into by the surveyor general of Louisiana on account of appropriation for the year ending June 30, 1876.

D.—Being statement of surveying contracts entered into by the surveyor general of Louisiana on account of appropriation for the year ending June 30, 1877.

E.—Being estimate of funds for surveying service in Louisiana, for salary of surveyor general and his clerks, and for contingent expenses in his office for the year ending June 30, 1879.

The above estimates and statements show in brief the work of the office in surveying, platting, and returning work in the field for the last four years, and the wants of the public service in this district for the coming fiscal year, and to them I invite your attention.

## RESTORATION OF THE PUBLIC LANDS TO MARKET.

It is a subject of regret that so much delay has occurred in carrying into effect the act of Congress of 22d June, 1876, for the public offerings of land in Florida, Alabama, Mississippi, Louisiana, and Arkansas. One cause of the delay, as understood in this State, was the want of clerk force in the bureau necessary to prepare the lists of lands to be offered, and the difficulties of preparing accurate lists at all after so many years of interruption to the land system in the South, and the irregularity and carelessness with which the land offices have been conducted since its re-establishment.

As all tracts covered by homestead entries must be reserved from public offering, and thereafter from private entry, and as the number of fraudulent or abandoned homestead entries in Louisiana is very large, I have believed it my duty to call your attention to the facts, and to make such suggestions as I think would remedy or lessen the evil, so far, at least, as it affects the pine timber lands in the southwestern district.

In my annual report, for 1874, (Bureau Report for 1874, p. 74,) I stated statistically some of the evil results of the homestead system in this State. Obtaining my information from the records of the consolidated land office in this city I showed that of the 4,040 homestead entries then made in this land district there had then ripened into title but 91; that there had been relinquishments in 200 entries, and cancellations in 500 more, and that but a small part of the entries, then seven years old, had been proved up and had received final certificates. The just inference was that about 75 per cent., at least, of all homestead entries in Louisiana had been fraudulently conceived, or had been abandoned.

I have not obtained from the register and receiver statistics to date of this report, but I have no reason to believe they would show any improvement as compared with the foregoing. On the contrary, if I may credit the sources of information occasionally open to me, the class of pretended entries has increased, at least upon the valuable timber lands in the southwestern district, which have recently attracted so much attention on account of your efforts to stay the enormous depredations upon them. A great number of persons have affected to believe that after homestead entries, with or without settlement, they were at liberty to cut and remove all the timber from the land, and they have lived up to their faith. Indeed, in Calcasieu Parish this right to strip the timber from homestead lands was so generally conceded, and so respected by all, that it came to be an object of barter and sale, and hundreds of men, mostly poor and ignorant, make no concealment of the sales they have made and prices they have received for the privilege of cutting all valuable pine from their respective tracts. The State has a homestead system similar to and borrowed from the Federal system.

And in consequence of the low, flat character of the lands in that part of the State, and the probability that many of the early surveys were made in very wet seasons, many tracts of valuable pine lands have passed to the State under the swamp land act of 1849. These tracts, too, are legitimate prey for the spoiler, and not unfrequently the same person obtains homestead entries on 160 acres of State land covered with valuable pine, and 160 acres of United States land of the same character, and lives on neither, but perhaps miles away. He then goes to the owners of the mills below

him on the stream or streams his homesteads are on or near, obtains his advances in money and provisions, engages to cut and float so many logs, as the case may be, returns to his cabin, cuts and hauls his logs, and when the winter rains swell the streams sufficiently, he starts them afloat, each one with his brand upon it, and at the booms, many miles below, he gathers up all that come through, usually about 90 per cent., forms rafts of them, and then delivers them at the mills from which he received his advances.

Since the recent seizures, most of this has been suspended—I fear not discontinued. And it has been brought to my notice by some of my deputies that the class of men who have been checked at it by the presence of your agent and the measures he has taken, are now preparing for future operations by making fraudulent or fictitious homestead entries upon the best timbered lands, hoping thereby to tie them up and keep them out of market till a time shall have arrived more favorable for their purposes.

My deputies who have been engaged in that quarter report that few of the tracts covered by homestead entries have settlements upon them or bear any evidences of improvement at all, most of them near the larger streams having been more or less denuded of the pine timber.

I have read with pleasure your excellent recommendations in the report of the bureau for 1876, page 8, for the enactment of a law by Congress to enable you to protect the pine-bearing lands of the United States. Such a system as you recommend is so obviously necessary in Louisiana that one would suppose it only needed to be called to the attention of the national legislature to secure its prompt adoption. But experience shows that needed reforms are often slow of adoption, and hence I would suggest that before the anticipated public sales take place in this State, some other means be resorted to to enable the government to sell the pine lands. At present the lands which would be purchased for their timber, either at public sale or subsequent private entry, are those within one and two miles of streams or lakes which afford water sufficient for floating purposes; but it is just these lands that the false homestead entries have heretofore been made upon, and will probably continue to be made upon, for the motives I have mentioned. And should the public offerings take place before examinations are effected such lands cannot be offered, of course, and those who honestly seek to purchase and who naturally desire the best lands, will be denied the right in favor of what all men know to be a shallow fraud.

I would recommend that as you decide to employ the sum allotted for surveys in Louisiana in further resurveys in the pine region of the Calcasieu country, the land office here be required to furnish my deputies with abstracts of all homestead entries in their respective townships to be placed under contract, and that each deputy be required to examine each tract sufficiently to enable him to make a sworn report as to the actual condition in which he finds the land.

If such report showed nonsettlement or abandonment, the entries could be canceled, or, if you saw proper, the supposed settler could be notified by notice in some newspaper to show cause, by a certain time, why his entry should not be canceled.

As to entries in townships not necessary to be resurveyed, or which cannot be put under contract this year, I should be authorized to appoint and send out a deputy in whom I have confidence, furnishing him with the proper abstracts from the local land office, and requiring him to make similar examinations and reports. Such reports would be valuable evidence in the legal proceedings to be had here next winter for the confiscation of the timber seized by your agent in Calcasieu Parish, and which I suppose are likely to turn upon the fact whether or not the depredations were committed on public or private lands.

#### UNCONFIRMED PRIVATE LAND CLAIMS IN LOUISIANA.

This subject still attracts attention, and I think it my duty again to briefly allude to it, in order that through you Congress may be informed correctly upon the subject. In this connection I cannot do better than recall your attention to what I had the honor to lay before you in my report for 1874, published in the bureau report for that year, pages 76, 77, 78, and 79. Nothing has occurred to induce me to modify or abandon any of the reasons then advanced in favor of a general act of Congress which, *proprio rigore*, would forever quiet this class of claims and relieve the Land Department and Congress of a fruitful source of annoyance and labor.

Practically, the United States can make no disposition of the lands covered by these claims. And they would not if they could.

They embrace but about 80,000 acres in all, excluding of course the Houmas and a few other large grants. In nearly every case are embraced in the limits of valuable plantations or farms, have been long since surveyed and represented upon the usual township maps, and hence are susceptible of being readily described in any bill which might be passed for their confirmation, by their proper designation as to section, town-

ship, range, and area. Should policy, prudence, or other consideration oppose such wholesale divestiture of right by Congressional action, whereby it might be feared a dangerous precedent might be established, then I would recommend an act similar to the Missouri act of June 13th, 1866. The objects of that act were confined to lots or other lands within the city of Saint Louis, of which prior confirmations, relinquishments, or recognitions of title by the United States were predicable. The evil to be remedied was the difficulty proprietors met in showing documentary and other evidence of title or boundaries against the United States, and the act liberally allowed the United States district court at Saint Louis, with right of appeal to the circuit court, to adjudicate the question of prior confirmation, recognition, or relinquishment, with boundaries, and to afford appropriate evidence of the facts found in a proper decree.

The parallelism between the case of the Saint Louis lot owners and the occupants of the unconfirmed claims in Louisiana is closer than at first glance it might appear; for although antecedent title against the sovereign was pleadable in favor of the former, and founded the right to a decree declaratory of its existence and limits, and the theory of the latter is that no proof of title can be shown against that sovereign, yet in point of practice we know that examination and research develop such title in many cases, and that in all the sovereign impliedly admits its existence by non-claim and indifference. Indeed, if the strict principles of law applicable to royal lands in England, immemorially enjoyed and occupied in opposition to the Crown, should by our courts be applied to the class of lands under consideration, it may safely be assumed that the ancient and continued occupation and enjoyment of these lands in a public and unequivocal manner, with the full knowledge and sufferance of the sovereign, would afford judicial proof of the existence of grants good against the United States but lost through lapse of time. Hence it would not be stretching the Missouri precedent very far to apply it to the lands in Louisiana immemorially possessed by her citizens, who are unable to exhibit their grants and boundaries. Although I favor, for reasons stated in my report for 1874, an act of relinquishment which will require no expensive legal or other proceedings on the part of its beneficiaries, yet if such an act would be unwise, one similar to the Missouri act would be the next best thing, and against it certainly no objections could be urged. Congress should pass one or the other of these acts at once, because the present anomalous condition of these lands exposes their possessors to vexatious annoyances and suspicions, and in some cases to depreciation in value of plantations consisting in whole or part of such claims.

I again desire to invite your attention to the necessity of an appropriation to enable me to bring up, while yet it is practicable, the long suspended work of this office, and to which I and my predecessors have so often called attention that it is becoming an oft told tale, and I fear wearisome.

There are about 784 townships in the State, the surveys of which are complete, and the original notes of which are on file in this office. Those are among the early surveys. Contrary to law, the copies of these notes have never been made and sent to the bureau for safe custody. Should an accident happen to the records here, by which they should be stolen or destroyed, every vestige of a record showing the surveys in those townships would be swept away, and no power on earth could restore them or duplicate them.

During the war these records were taken possession of by the authorities of the Confederate States, removed from place to place, and many of them lost, stolen, or destroyed. Since the war, the custom house, where they now seem to be secure, was often in the midst of riot and danger, and once was in the theater of battle, where shot and shell and bullets did their bloody work. In 1865 the entire records of the United States land office for the old southeastern district of Louisiana, located in this city, were destroyed by fire, and irreparable loss inflicted on many of the property holders in this section of the State, whose claims and evidences of title were recorded among them. In course of time the custom and the policy of the law will require that this office be closed and its records transferred to the State.

Perhaps the liability of the records to destruction will then be greater than now. In view of all this, I should now be copying these notes and sending the copies to the seat of National Government, as the law directs, and as wisdom and prudence dictate.

Then, too, before patents can issue according to law, this office must prepare and furnish to the local land offices patent plats in about 6,170 private land claims heretofore duly surveyed, and now represented upon the township plats.

It is the duty of the government to issue these patents, and the law requires the plat to be annexed to the patent as a part of it. All this work, so long neglected, should now be brought up.

Special attention has been called to the subject in the reports from this office for 1871 and 1873, and to which I respectfully refer you.

There are a few of the leading heads of work in arrear in this office, none of which is of modern origin. It is all left to this office as a legacy of the early surveyors gen-

eral and their clerks. Much more work could be stated of a miscellaneous nature now sadly in arrear, which should be brought up, but I cannot enter upon any of it. I have for this current year but \$2,000 for clerk hire, and I shall endeavor to retain the two efficient gentlemen I have had so long, but it will only be at beggarly salaries no just government would expect its servants to work for, and which, indeed, competent men would not work for but as an escape from the hard fate which the poverty of the times has visited upon this part of our country. My own salary has been cut down from \$2,000, allowed since the office was created in 1831, to \$1,800, and I submit as gracefully as I may, no alternative being left me.

I have the honor to be, very respectfully, your obedient servant,

O. H. BREWSTER,  
*Surveyor General Louisiana.*

Hon. J. A. WILLIAMSON,  
*Commissioner of the General Land Office.*

*A.—Statement of surveying contracts entered into by the surveyor general of Louisiana on account of the appropriation of \$18,000 for fiscal year ending June 30, 1874.*

Date of contract and instructions.	Name of deputy surveyor.	Locality of work.	District.	Estimated liability.	Amount paid.	Remarks.
July 24, 1873	William H. Robinson..	Accounted for in previous report .....			\$164 09	
		Townships 15 and 16 south, range 24 east, townships 16 south, range 25 east.	Southeastern .....	\$1,500 00	1,424 10	Work completed; returns made and approved, map and transcript forwarded.
Oct. 23, 1873	W. H. R. Hangen.....	Townships 13, 14, 15, 16, and 17 south, ranges 1 and 2 west.	Southwestern.....	2,500 00		Contract expired and no returns made; canceled.
Dec. 10, 1873	John P. Parsons .....	Townships 10 and 11 south, ranges 2 and 3 west.	do .....	3,000 00	2,260 70	Completed and approved; transcript transmitted.
June 20, 1874	George O. Elms .....	Sabine reservation and townships 9 and 10 south, range 13 west.	do .....	1,000 00	170 62	Sabine reservation returned and transmitted with the account, amounting to \$670.62, of which \$500 were paid from appropriation of \$20,000 for useless reservation; surveys in townships 9 and 10 south, range 13 west, returned and approved, maps and transcript transmitted; his account for \$216.25 was found correct, but could not be paid because the unexpended balance of the appropriation of March 3, 1873, to which it is chargeable, was, on July 12, 1876, carried to the surplus fund of the Treasury; said amount found to be due to Mr. Elms will be included in an estimate to be submitted for reappropriation by Congress.—(See Commissioner's letter of July 17, 1877.)
Total appropriation as per act of March 3, 1873.....				18,000 00	4,019 51	
Balance unexpended .....					13,980 49	
Total.....				18,000 00	18,000 00	

O. H. BREWSTER,  
Surveyor General, Louisiana.

OFFICE OF SURVEYOR GENERAL, DISTRICT OF LOUISIANA,  
New Orleans, August 28, 1877.



*B.—Statement of surveying contracts entered into by the surveyor general of Louisiana on account of the appropriation of \$15,000 for the fiscal year ending June 30, 1875, approved by act of Congress of June 23, 1874.*

1871 No.	Date of contract.	Name of deputy surveyor.	Locality of work.	District.	Estimated liability.	Amount paid.	Remarks.
1	July 11, 1874	John P. Parsons .....	Township 10 south, range 1 west; township 7 south, ranges 4, 5, and 6 west.	Southwestern.....	\$2,500 00	\$2,903 17	Surveys completed; notes approved; maps and transcript transmitted.
2	Dec. 17, 1874	Jas. L. Bradford.....	Triangulation to connect township lines across Atchafalaya River, township 6 south, range 5 east; township 7 south, range 5 east.	.....do .....	3,500 00	3,486 75	Work completed on Atchafalaya; also in township 6 south, range 5 east, and fractional township 7 south, range 5 east; notes returned and approved; maps and transcript of notes transmitted.
3	Dec. 21, 1874	John Deegan .....	Lake Terre Noire, township 9 north, range 7 west.	Northwestern ....	250 00	193 07	Work completed and approved; maps and transcript transmitted.
4	Jan. 21, 1875	S. P. Henry .....	Township 14 south, range 6 west; township 14 south, range 7 west.	Southwestern ....	750 00	.....	Work completed in the field; notes will be returned in sixty days, for which an extension was granted.
5	Jan. 26, 1875	Thos. Jeff. Allison ....	Township 14 south, range 8 east; township 15 south, range 7 east.	.....do .....	1,000 00	1,000 20	Work completed in township 14 south, range 8 east; notes approved; maps and transcript transmitted.
6	March 5, 1875	John J. Byles .....	Connections around the La Nana grant and Ormigas.	Northwestern ....	1,500 00	1,504 60	Work completed and approved; maps and transcript transmitted.
7	April 8, 1875	Jas. L. Bradford .....	Townships 22, 23, 24 south, ranges 33 and 34 east, South Pass.	Southeastern ....	1,300 00	1,300 00	Notes returned and approved; maps and transcript transmitted.
Total.....						10,387 79	
Appropriation as per act of Congress approved June 23, 1874 .....					15,000 00		
Balance unexpended .....						4,612 21	
Total .....					15,000 00	15,000 00	

OFFICE OF SURVEYOR GENERAL, DISTRICT OF LOUISIANA,  
New Orleans, August 28, 1877.

O. H. BREWSTER,  
Surveyor General, Louisiana.

*C.—Statement of surveying contracts entered into by the surveyor general of Louisiana on account of the appropriation of \$15,000 for the fiscal year ending June 30, 1876, approved by act of Congress of March 3, 1875.*

No.	Date of contract.	Name of deputy surveyor.	Locality of work.	District.	Estimated liability.	Amount paid.	Amount paid under deposit.	Remarks.
1	June 19, 1875	John P. Parsons and Arthur Gascon.	Township 7 south, range 3 west; townships 8 and 9 south, ranges 3 4, 5, and 6 west.	Southwestern	\$5,000 00	\$5,259 72	.....	Surveys completed and approved; maps and transcript transmitted.
2	July 17, 1875	P. A. Thibodeaux ..	Township 18 south, ranges 21 and 22 east, and township 19 south, range 22 east.	So uth eastern ..	300 00	230 15	.....	Work completed as far as practicable in township 18 south, range 21 east; maps and transcript transmitted.
3	July 26, 1875	James L. Bradford ..	Township 4 south, ranges 1 and 2 east; township 4 south, ranges 1, 2, and 3 west, and townships 5 and 6 south, range 4 west.	Southwestern	5,000 00	5,071 99	.....	Work completed (except township 4 south, range 2 east) and approved; maps and transcript submitted.
4	Aug. 11, 1875	...do .....	Small island in Atchafalaya Bay ....	Southwestern	.....	.....	\$180 00	Work completed; plats and transcript transmitted; paid by individuals.
5	Oct. 16, 1875	Henry A. Peeler ....	Township 10 north, range 5 east ....	North of Red River.	1,000 00	.....	.....	Deputy surveyor was relieved of this contract on his own application on the 13th of May, 1876; (contract canceled)
6	Feb. 6, 1876	John P. Parsons and Arthur Gascon.	Townships 10, 11, and 12 south, range 1 east, and township 11 south, range 2 east.	Southwestern	2,500 00	2,497 86	.....	Survey completed as far as to cover townships 10, 11 and 12 south, range 1 east; not approved; maps and transcript transmitted.
7	May 15, 1876	James L. Bradford ..	Townships 5 and 6 south, range 1 west, and township 5 south, ranges 2 and 3 west.	Southwestern	1,940 28	1,940 28	.....	Work completed and approved; maps and transcript transmitted.
Excess on contract No. 1 .....					15,740 28	.....	.....	
Excess on contract No. 3 .....					259 72	.....	.....	
					71 99	.....	.....	
Less contract No. 5 .....					16,071 99	.....	.....	
					1,000 00	.....	.....	
					15,071 99	.....	.....	
To reduction on contract No. 2 .....					\$69 85	.....	.....	
To reduction on contract No. 6 .....					2 14	.....	.....	
					71 99	.....	.....	
Total .....					15,000 00	.....	.....	
Appropriation as per act of March 3, 1875 .....					.....	15,000 00	.....	
Total .....					15,000 00	15,000 00	.....	

OFFICE OF SURVEYOR GENERAL, DISTRICT OF LOUISIANA,  
New Orleans, August 22, 1877.

O. H. BREWSTER,  
Surveyor General, Louisiana.

D.—Statement of surveying contracts entered into by the surveyor general of Louisiana on account of the appropriation of \$7,000 for the fiscal year ending June 30, 1877.

No.	Date of contract.	Name of deputy surveyor.	Locality of work.	District.	Estimated liability.	Amount paid.	Remarks.
1	Oct. 19, 1876	James L. Bradford and John Kap.	Townships 1 and 2 north, ranges 2 and 3 west; townships 2 and 3 south, range 1 west; townships 1, 2, and 3 south, range 2 west; township 1 south, range 4 west; townships 1, 2, 3, 4, and 5 south, ranges 5 and 6 west, and township 6 south, range 6 west.	Southwestern.	\$6,850 00	\$1,462 38	The base-line and guide-meridian completed, also township 1 north, range 2 west, notes approved; maps and transcript transmitted; time for completing the surveys was extended to August 25, 1877; surveyors returned from the field and will return their notes shortly.
2	Jan. 25, 1877	John P. Parsons ....	Township 8 south, ranges 2, 3, and 4 east..	Southeastern .	150 00	168 09	Surveys completed in township 8 south, ranges 2 and 3 east; notes approved; maps and transcript transmitted.
Balance unexpended applicable to the above contract No. 1 .....						1,630 47	
Appropriation, (act of Congress July 31, 1876) .....					7,000 00	5,369 53	
Total .....					7,000 00	7,000 00	

OFFICE OF SURVEYOR GENERAL, DISTRICT OF LOUISIANA,  
New Orleans, August 28, 1877.

O. H. BREWSTER,  
Surveyor General of Louisiana.

E.—*Estimate of funds to be appropriated for the fiscal year ending June 30, 1879, for surveying in Louisiana, for compensation of surveyor general and his clerks, and for contingent expenses in his office.*

**Proposed surveys and resurveys:**

\$34,800 is estimated for completing the resurveys of the public lands in the southwestern district, where on account of the great lapse of time since the original surveys were made, or are supposed to have been made, viz: 1807, the old lines and corners are generally totally obliterated in the field, and the disposition of land prevented by the inability of settlers and others to describe the land desired to be entered. The number of townships falling under this head in that district is 44; and their resurvey is believed to be necessary to enable the officers of the government to check the destruction of timber now going on so extensively, by enabling them to identify the lands despoiled, and thus pave the way to the punishment of the offenders. This estimate is based on the rate of \$12 per mile for township lines, and \$10 for section lines; for less than which sums able and faithful surveyors cannot be obtained for Louisiana surveying..	\$34, 800
\$7,850 is estimated for the much-needed resurvey of a few townships in the southeastern district, on the Mississippi River above New Orleans, and as far up as Donaldsonville, and for the location of private land claims on the same, and on the bayou Lafourche.....	7, 850
\$14,000 is estimated, at rates as above stated, for resurveys in the pine timber lands of the southwestern district, for the original townships and sectional surveys in the southwestern district, of the strip of country situated on the Gulf coast and south of the limit of the old surveys of 1807 and 1830. The township lines should be extended across this region to the Gulf and the lands found valuable on the ridges, bayous, and lakes within it, should be surveyed under the radiating lot system. These surveys are demanded by the wants of large numbers of settlers cultivating much of this land, and by the general interest of the government and the State of Louisiana..	14, 000
\$1,800 is estimated to finish the original survey of the public lands on the southeast pass of the Mississippi and on the bayou Balize, contracted for by Deputy J. L. Bradford in his contract No. 7, of April 8, 1875, but work not executed then for lack of funds.....	1, 800
\$6,000 is estimated as necessary to survey originally islands in the several districts, to traverse a part of the Sabine River, and connect the township and section lines thereon, to locate private claims in the several districts, and to finish the survey of the rich and heavily-settled townships 4 south, ranges 1 and 2 east, southwestern district, contracted to be surveyed by Deputy J. L. Bradford in his contract No. 3, of July 26, 1875, but left unfinished by reason of insufficiency of existing appropriation.....	6, 000
<i>Salaries.</i>	
Surveyor general.....	2, 000
One chief clerk.....	1, 800
One clerk and draughtsman.....	1, 800
One assistant draughtsman.....	1, 200
Fourteen clerks for office work in arrear, to prepare plats and field notes, at \$1,000 each.....	14, 000
<i>Contingent expenses.</i>	
Stationery, binding, messenger hire, and all other incidental expenses..	2, 000
Total estimate of appropriation required.....	87, 250

OFFICE OF SURVEYOR GENERAL,  
DISTRICT OF LOUISIANA,  
New Orleans, July 11, 1877.

O. H. BREWSTER,  
Surveyor General, Louisiana.

*B.—Report of the surveyor general of Florida.*

UNITED STATES SURVEYOR GENERAL'S OFFICE,  
DISTRICT OF FLORIDA,  
Tallahassee, Fla., September 1, 1877.

SIR: I have the honor to make the following report of surveying operations in my district for the year ending June 30, 1877, together with tabular statements of the field and office work as follows:

- A. Map of the district showing progress of surveys.
- B. Showing contracts made during the year.
- C. Showing present condition of contracts not closed at date of last annual report.
- D. List of township plats furnished the local land office.
- E. Statement of special deposits.
- F. Estimates of appropriations required for next fiscal year.

I have made contract with Charles F. Smith, an experienced surveyor, to finish up the work on the Gulf coast to and including Charlotte Harbor. When this and the resurvey of the Georgia boundary is finished, the work in the field in this district will be exhausted unless it be thought desirable to extend the surveys southward from their present terminus on the Gulf coast. It is true, that these lands are mostly of the character donated to the State as swamp lands, but there is no provision of law for their conveyance to the State until surveyed,

The acts donating these lands to the State contemplate their survey, and the State has a right to expect it.

The estimate herewith for surveys is intended for the extension of the surveys southward from their present terminus. Some of these lands are the most valuable of any in the State.

The State is enjoying a season of remarkable prosperity, in striking contrast to the depression in other parts of the country.

The records of the State and local land offices show a large and continually increasing tide of immigration, and we are favored with a climate and soil which will render its present prosperity permanent.

The free-school system is carefully sustained. The financial condition of the State is excellent, and law and order as vigorously enforced and maintained as in any State in the Union.

The recent enactments opening the public lands to pre-emption, and other entries as recommended in the last report from this office, will prove of much benefit to the State and people.

I am, sir, very respectfully your obedient servant,

LE ROY D. BALL,  
*Surveyor General.*

Hon. J. A. WILLIAMSON,  
*Commissioner General Land Office,  
Washington, D. C.*

B.—*Report of surveying operations in the district of Florida, showing contracts entered into during the fiscal year ending June 30, 1877.*

Names of deputies.	No. of contract.	Date.	Locality of work.	Time allowed.	When returned.	Remarks.
Edw. E. Ropes .....	24	Dec. 11, 1876	Islands in Denter's Lake, township 16 south, range 29 east.	June 10, 1877, extended to November 1, 1877.	.....	Not returned.
D. D. Rogers .....	26	May 8, 1877	Island in Halifax River, in sections 8 and 17, township 15 south, range 33 east.	July 1, 1877 .....	July 1, 1877	Not forwarded.
Charles F. Smith .....	27	June 22, 1877	Unsurveyed lands and islands on the Gulf coast, from township 6 south, range 5 east, to and including Charlotte Harbor; also subdivisions of township 26 south, range 20 east, and township 39 south, range 23 east; east of Pease Creek.	April 1, 1878 .....	.....	Not returned.

LE ROY D. BALL, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE, Tallahassee, Fla., September 1, 1877.

C.—*Statement showing present condition of contracts not closed at date of last annual report.*

Name of deputy.	No. of contract.	Date.	Location of work.	Time allowed.	When returned.	Remarks.
John P. Apthorp .....	20	May 20, 1875	Islands on the Gulf coast, from township 26 south to Casey's Key.	May 1, 1876 .....	Apr. 26, 1876	Part of the work forwarded; balance not yet ready.
John A. Henderson .....	21	Dec. 23, 1875	Islands on the Gulf coast, from township 50 south, range 25 east, southward; also mainland, from same point southward and westward.	June 30, 1876 .....	May 5, 1876	Work forwarded April 27, 1877.
Walter Gwynn .....	22	Jan. 31, 1876	Island in Lake Jessup, in township 20 south, range 31 east.	Extended to August 15, 1876.	Aug. 13, 1876	Work not forwarded.

LE ROY D. BALL, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE, Tallahassee, Fla., September 1, 1877.

*D.—List of township plats furnished the local land office.*

Townships south.	Ranges east.	No. of townships.	When furnished.	Remarks.
51.....	26 and 27.....	2	Nov. 11, 1876	Survey of John A. Henderson.
52 and 53.....	26.....	2	Jan. 6, 1877	Do.
35 and 36.....	17.....	2	Mar. 17, 1877	Survey of John P. Apthorp.
33, 34, and 35.....	16.....	3	Mar. 17, 1877	Do.
52.....	25.....	1	Apr. 12, 1877	Survey of John A. Henderson.
52.....	27.....	1	Apr. 12, 1877	Do.
26, 29, and 30.....	14.....	3	Aug. 4, 1877	Survey of John P. Apthorp.
26, 27, 29, 30, and 32.....	15.....	5	Aug. 4, 1877	Do.
32.....	16.....	1	Aug. 4, 1877	Do.
20.....	25.....	1	June 19, 1877	Islands in Lake Harris; survey of W. J. McEaddy.
Total.....		21		

LE ROY D. BALL,  
*Surveyor General.*

SURVEYOR GENERAL'S OFFICE,  
*Tallahassee, Fla., September 1, 1877.*

*E.—Statement of special deposits for the survey of public lands in the district of Florida during the fiscal year ending June 30, 1877.*

Names of depositors.	Dates of deposit.	With whom deposited.	Amount deposited.		For survey of—	Name of deputy.	Remarks.
			Field-work.	Office-work.			
Dillard & Underhill..	Oct. 5, 1876	U. S. assistant treasurer, Washington...	\$75 00	\$25 00	Island in Lake Dexter .....	E. E. Ropes .....	Not returned.
D. B. Rogers .....	Dec. 20, 1876	U. S. assistant treasurer, New York....	10 00	5 00	Island in Halifax River.....	D. D. Rogers .....	Not forwarded.
Charles D. Taylor....	Apr. 21, 1877	U. S. assistant treasurer, Washington....	50 00	15 00	Dewees grant.....	A. C. Hughey .....	Contract disapproved by Commissioner of General Land Office.
William E. Bird .....	May 11, 1877	.....do .....	10 00	5 00	Island in Saint John's River	Charles F. Hopkins.	Not returned.

LE ROY D. BALL,  
*Surveyor General.*

SURVEYOR GENERAL'S OFFICE,  
*Tallahassee, Fla., September 1, 1877.*



*F.—Estimate of appropriations required for surveying service in the district of Florida, for the fiscal year ending June 30, 1879.*

For salary of surveyor general.....	\$2,000
For salary of chief clerk.....	1,600
For salary of draughtsman.....	1,400
For salary of transcribing clerk.....	1,200
For rent and contingent expenses.....	1,000
For surveying the public lands.....	10,000
<b>Total .....</b>	<b>17,200</b>

LE ROY D. BALL,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE,  
Tallahassee, Fla., September 1, 1877.

*C.—Report of the surveyor general of Minnesota.*

UNITED STATES SURVEYOR GENERAL'S OFFICE,  
Saint Paul, Minn., August 31, 1877.

SIR: I have the honor to submit herewith, in duplicate, my annual report, showing the progress of the public surveys in this district for the fiscal year ending June 30, 1877.

The accompanying tables will exhibit generally the progress and present condition of the field and office work to this date.

The miscellaneous business of the office necessarily involves a large amount of work of which no detailed statement can be given.

Owing to the limited appropriation for clerk hire, but little has been done during the last year toward bringing forward the arrears of office work. I desire to repeat the recommendations made in my estimates forwarded July 14, relative to the running of certain meridian and standard or correction lines. The proper connection of surveys in different parts of the State seems to demand the establishment of those lines. The surveys in this district have now reached the headwaters of the Mississippi River, and most of the unsurveyed timber region is tributary to streams running north. I learn from parties residing along our northern border, that a large amount of wood and timber is annually taken from the public lands for the use of steamboats and for milling purposes across the line. I would therefore respectfully recommend that surveys be carried on along the international line as far west as the Little Fork River, with a view of bringing those lands into market. These lands are principally valuable for the timber, and I would suggest that Congress be requested to so modify the law for the disposal of timber lands, that they may be subject to private sale or entry immediately after survey, at an appraised valuation, or under such regulations and restrictions as Congress and the department may deem proper. The government would thus receive the price of the lands, and be saved all expense of preventing waste or trespass; while the lands being in the hands of a large number of individuals, the burden of protection from theft or fire would be upon them, and by concert of action could be accomplished at small expense to each. The country north of Lake Superior is attracting much attention on account of its mineral resources, and I am confident the extension of surveys in that direction would bring the government quick and ample returns. In view of the character of the unsurveyed portion of Minnesota, and the distance which men and supplies have to be transported, involving a large expense of time and money, I deem the rates set forth in my estimates of July 14, to be as low as good and faithful work can be afforded.

The several statements and estimates accompanying this report are as follows:

A. Statement showing completion of survey of the Leech Lake Indian reservation, under contract of June 24, 1875.

B. Statement of contracts entered into on account of the \$13,500 assigned to Minnesota, for the fiscal year ending June 30, 1877, from the appropriation of \$300,000, act of July 31, 1876.

C. Statement of contracts entered into on account of the \$12,400 assigned to Minnesota for the fiscal year ending June 30, 1878, from the appropriation of \$300,000, act of March 3, 1877.

D. Statement of original, Commissioner's, and registers' plats made, and date of transmission to the General and local land offices.

E. Statement of townships surveyed in Minnesota since last annual report, showing area and number of miles, including meanders in each; also number of miles of standard and meridian and township lines, and total number of acres surveyed in the State.

F. Estimates of appropriations required for continuing the public surveys in Minnesota, for the fiscal year ending June 30, 1879.

G. Statement of the incidental expenses of the office for the fiscal year ending June 30, 1877.

H. Map of the district of Minnesota, showing the progress of public surveys to date.

Very respectfully, your obedient servant,

J. H. BAKER,  
*Surveyor General.*

Hon. J. A. WILLIAMSON,

*Commissioner General Land Office, Washington, D. C.*

A.—Statement of contract entered into by the surveyor general of Minnesota, on account of the \$16,000 assigned by the honorable Secretary of the Interior, of the appropriation of March 3, 1875, for completing the survey of the Leech Lake Indian Reservation.

Name of deputy.	Date of contract.	Description of work.	Amount assigned.	Amount paid.	Condition of work.	Remarks.
Benjamin C. Baldwin ..	June 24, 1875	Subdivision of township 56 north, of range 27 west, fourth principal meridian; subdivision of townships 144, 145, 146, and 147 north, of ranges 25 and 26 west; township 148 north, of ranges 26, 27, and 28 west; townships 146 and 147 north, of range 29 west; townships 143, 144, and 146 north, of ranges 30 and 31 west; township 145 north, of range 31 west, fifth principal meridian. (Correction of certain township lines authorized by the Commissioner of the General Land Office, by letter dated September 27, 1875.)	\$16,000 00	\$15,982 19	Survey completed and approved; plats and field notes, in duplicate, transmitted.	This survey was returned in last report, except township 146, range 25, and townships 145, 146, and 147, range 26, and correction of township lines.

SURVEYOR GENERAL'S OFFICE,  
Saint Paul, Minn., August 31, 1877.

J. H. BAKER, Surveyor General.

B.—Statement of surveying contracts entered into by the surveyor general of Minnesota, on account of the \$13,500 assigned to Minnesota, for the fiscal year ending June 30, 1877. Appropriation of \$300,000, act of July 31, 1876.

Name of deputy.	Date of contract.	Description of work.	Estimated liability.	Amount paid.	Condition of work.	Remarks.
Henry S. Howe .....	Sept. 11, 1876	Township lines between townships 149 and 150 north, of ranges 40, 41, 42, and 43 west; between townships 150 and 151 north, of ranges 41, 42, and 43 west; between townships 151 and 152 north, of ranges 42 and 43 west; range lines between ranges 39 and 40 west, of township 149 north; between ranges 40 and 41 west, of townships 149 and 150 north; between ranges 41 and 42 west, of townships 149, 150, and 151 north; between ranges 42 and 43 west, of townships 149, 150, 151, and 152 north; subdivision of township 149 north, of range 40 west; townships 149 and 150 north, of range 41 west; townships 149, 150, and 151 north, of range 42 west; townships 149, 150, 151, and 152 north, of range 43 west, fifth principal meridian.	\$5,000 00	\$4,734 94	Survey completed and approved; plats and field notes transmitted.	
Kindred and Thurston..	Sept. 23, 1876	The fourth principal meridian, from the ninth correction line north to the international boundary; township lines between townships 63 and 64 north, of range 3 east; range lines between ranges 3 and 4 east, of township 64 north; between ranges 1 and 2, 2 and 3, 3 and 4 west, of township 65 north; subdivision of township 65 north, of range 1 east; townships 64 and 65 north, of range 3 east; township 65 north, of ranges 1, 2, and 3 west, fourth principal meridian.	2,700 00		Survey completed and notes returned to this office; plats and field notes of townships 64 and 65 north, range 3 east, fourth principal meridian transmitted. Balance not yet completed.	
Eli W. Griffin .....	Sept. 25, 1876	Township lines between townships 154 and 155 north, of ranges 44 and 45 west; between townships 155 and 156 north, of range 45 west; range lines between ranges 43 and 44 west, of township 154 north; between ranges 44 and 45 west, of townships 154 and 155 north; subdivision of township 154 north, of range 44 west; townships 154 and 155 north, of range 45 west, fifth principal meridian.	1,425 00	1,333 28	Survey completed and approved; plats and field notes transmitted.	
Andrew Rinker .....	Oct. 21, 1876	Meanders of an island in Cedar Lake, in section 32, township 29 north, of range 24 west, fourth principal meridian.	8 00	8 00	Survey completed and approved; diagram and field notes transmitted.	Paid out of special deposit made by Byron Sutherland.
P. M. Quist .....	Oct. 30, 1876	Meanders of an island in Lake Fanny, in section 16, township 118 north, of range 34 west, fifth principal meridian.	10 00	10 00	Survey completed and approved; diagram and field notes transmitted.	Paid out of special deposit made by J. P. Holm.
Kindred and Hamilton..	Dec. 23, 1876	The 14th standard parallel, from the 6th guide meridian, due east, 18 miles; township lines between townships 157 and 158, 158 and 159, 159 and 160 north, of ranges 43, 44, and 45 west; range lines between ranges 42 and 43, 43 and 44, 44 and 45 west, of townships 157, 158, and 159 north. Subdivision of townships 157, 158, and 159 north, of ranges 43, 44, and 45 west, fifth principal meridian.	4,200 00	4,184 43	Survey completed and approved; plats and field notes transmitted.	

## B.—Statement of surveying contracts entered into by the surveyor general of Minnesota, &amp;c.—Continued.

Name of deputy.	Date of contract.	Description of work.	Estimated liability.	Amount paid.	Condition of work.	Remarks.
William A. Kindred ....	June 4, 1877	Subdivision of township 64 north, of range 2 east, fourth principal meridian.	600 00		Survey completed and notes returned to this office. Plats not yet completed.	

J. H. BAKER, *Surveyor General.*SURVEYOR GENERAL'S OFFICE,  
Saint Paul, Minn., August 31, 1877.

C.—Statement of contracts entered into by the surveyor general of Minnesota, on account of the \$12,400 assigned to Minnesota, for the fiscal year ending June 30, 1878. Appropriation of \$300,000, act of March 3, 1877.

Name of deputy.	Date of contract.	Description of work.	Estimated liability.	Amount paid.	Condition of work.	Remarks.
Stantz and Hamilton....	July 5, 1877	The ninth correction line from the corner to township 65 north, of ranges 3 and 4 west, due west 24 miles, or to its intersection with the international boundary at or near Knife Lake; township lines between townships 65 and 66 north, of ranges 4, 5, and 6 west; range lines between ranges 4 and 5, 5 and 6 west, of townships 65 and 66 north; between ranges 6 and 7, 7 and 8 west, of township 65 north, unless said last-named line is the international boundary; subdivision of township 65 north, of ranges 4, 5, 6, and 7 west; township 66 north, of ranges 4, 5, and 6 west, fourth principal meridian.	\$5,800 00	.....	Deputies now in the field.	
Eli W. Griffin.....	July 6, 1877	Township line between townships 155 and 156 north, of range 44 west; range line between ranges 43 and 44 west, of township 155 north; subdivision of township 155 north, of range 44 west, fifth principal meridian.	450 00	.....	Deputy now in the field.	
Henry S. and Frank D. Howe.	July 10, 1877	The fifteenth standard parallel from the sixth guide meridian, due east, 18 miles; township lines between townships 161 and 162 north, of ranges 43, 44, and 45 west; between townships 162 and 163 north, of ranges 44 and 45 west; range lines between ranges 42 and 43, 43 and 44, 44 and 45 west, of townships 160 and 161 north; between ranges 43 and 44, 44 and 45 west, of township 162 north; subdivision of townships 160 and 161 north, of ranges 43, 44, and 45 west; township 162 north, of ranges 44 and 45 west, fifth principal meridian.	4,900 00	.....	Deputies now in the field.	
Ashbel Ingerson.....	July 12, 1877	Township line between townships 155 and 156 north, of range 43 west; range lines between ranges 42 and 43, 43 and 44, 44 and 45 west, of township 156 north; subdivision of township 156 north, of ranges 43, 44, and 45 west, fifth principal meridian.	1,250 00	.....	Deputy now in the field.	

J. H. BAKER,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE, SAINT PAUL, MINN., August 31, 1877.

D.—Statement of original, Commissioner's, and register's plats made, and date of transmission to the General and local land offices, since the date of last annual report.

Township.	Range.	Land district.	Original.	Commissioner's.	Date of transmission.	Register's.	Date of transmission.	Total.	Remarks.
<i>E. of 4th p. m.</i>									
65	1	Duluth.....							Plats not completed.
64	2	do.....							Do.
64	3	do.....	1	1	Mar. 7, 1877	1	June 28, 1877	3	
65	3	do.....	1	1	Mar. 7, 1877	1	June 28, 1877	3	
<i>W. of 4th p. m.</i>									
65	1	Duluth.....							Plats not completed.
65	2	do.....							Do.
65	3	do.....							Do.
56	27	Saint Cloud.....				1	Oct. 25, 1876	1	Part Indian reservation.
<i>W. of 5th p. m.</i>									
145	25	Saint Cloud.....				1	Oct. 25, 1876	1	Part Indian reservation.
146	25	do.....	1	2	Sept. 21, 1876	1	Oct. 25, 1876	4	Do.
147	25	do.....				1	Oct. 25, 1876	1	Do.
144	26	do.....				1	Oct. 25, 1876	1	Do.
145	26	do.....	1	2	Sept. 21, 1876			3	Indian reservation.
146	26	do.....	1	2	Sept. 21, 1876			3	Do.
147	26	do.....	1	2	Oct. 12, 1876			3	Do.
149	40	Detroit.....	1	1	Feb. 16, 1877	1	Aug. 14, 1877	3	
149	41	do.....	1	1	Jan. 25, 1877	1	Aug. 14, 1877	3	
150	41	do.....	1	1	Jan. 25, 1877	1	Aug. 14, 1877	3	
149	42	do.....	1	1	Feb. 16, 1877	1	Aug. 14, 1877	3	
150	42	do.....	1	1	Jan. 25, 1877	1	Aug. 14, 1877	3	
151	42	do.....	1	1	May 4, 1877	1	Aug. 14, 1877	3	
149	43	do.....	1	1	Apr. 3, 1877	1	Aug. 14, 1877	3	
150	43	do.....	1	1	Jan. 5, 1877	1	Aug. 14, 1877	3	
151	43	do.....	1	1	Apr. 3, 1877	1	Aug. 14, 1877	3	
152	43	do.....	1	1	May 4, 1877	1	Aug. 14, 1877	3	
157	43	do.....	1	1	May 25, 1877	1	Aug. 14, 1877	3	
153	43	do.....	1	1	May 25, 1877	1	Aug. 14, 1877	3	
159	43	do.....	1	1	June 4, 1877	1	Aug. 14, 1877	3	
154	44	do.....	1	1	Mar. 2, 1877	1	Aug. 14, 1877	3	
157	44	do.....	1	1	June 4, 1877	1	Aug. 14, 1877	3	
158	44	do.....	1	1	July 6, 1877	1	Aug. 14, 1877	3	
159	44	do.....	1	1	July 6, 1877	1	Aug. 14, 1877	3	
154	45	do.....	1	1	Jan. 11, 1877	1	Aug. 14, 1877	3	
155	45	do.....	1	1	Mar. 2, 1877	1	Aug. 14, 1877	3	
157	45	do.....	1	1	July 6, 1877	1	Aug. 14, 1877	3	
158	45	do.....	1	1	July 6, 1877	1	Aug. 14, 1877	3	
159	45	do.....	1	1	July 6, 1877	1	Aug. 14, 1877	3	
Total.....			28	32		29		89	

J. H. BAKER,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE,  
Saint Paul, Minn., August 31, 1877.



E.—Statement of townships surveyed in Minnesota since last annual report, showing area and number of miles surveyed, including meanders, in each.

## EAST OF THE FOURTH PRINCIPAL MERIDIAN.

Number.	Township.	Range.	Area.		Number of miles surveyed.	Remarks.
			Public lands.	Indian reservation.		
1.....	65	1	.....	.....	<i>Miles. chs. lks.</i>	Plats not completed. Do.
2.....	64	2	.....	.....	.....	
3.....	64	3	19,420.01	.....	96 34 87	
4.....	65	3	5,054.30	.....	34 11 39	

## WEST OF THE FOURTH PRINCIPAL MERIDIAN.

5.....	65	1	.....	.....	.....	Plats not completed. Do. Do.
6.....	65	2	.....	.....	.....	
7.....	65	3	.....	.....	.....	

## WEST OF THE FIFTH PRINCIPAL MERIDIAN.

8.....	146	25	4,849.20	18,226.23	61 35 06	
9.....	145	26	.....	17,232.35	73 57 86	
10.....	146	26	.....	22,281.19	65 71 61	
11.....	147	26	.....	16,829.08	75 18 62	
12.....	149	40	22,202.49	.....	71 04 96	
13.....	149	41	22,826.18	.....	62 54 57	
14.....	150	41	23,033.42	.....	60 03 26	
15.....	149	42	22,735.37	.....	62 69 23	
16.....	150	42	23,006.90	.....	59 78 18	
17.....	151	42	22,979.69	.....	59 73 59	
18.....	149	43	22,679.05	.....	63 64 62	
19.....	150	43	23,004.50	.....	59 78 00	
20.....	151	43	22,745.76	.....	72 69 18	
21.....	152	43	22,585.59	.....	82 73 26	
22.....	157	43	22,977.00	.....	59 73 71	
23.....	158	43	22,920.20	.....	59 63 41	
24.....	159	43	22,903.82	.....	59 60 94	
25.....	154	44	23,117.34	.....	60 08 19	
26.....	157	44	23,065.64	.....	60 01 57	
27.....	158	44	22,956.03	.....	59 68 37	
28.....	159	44	22,909.64	.....	59 22 94	
29.....	154	45	23,028.18	.....	60 00 53	
30.....	155	45	23,074.69	.....	60 04 99	
31.....	157	45	23,044.12	.....	59 79 56	
32.....	158	45	22,940.13	.....	59 65 61	
33.....	159	45	22,453.55	.....	62 66 30	
Total.....	.....	.....	.....	.....	1,784 74 38	
Meridian and standard lines.....	.....	.....	.....	.....	18 00 00	
Township lines.....	.....	.....	.....	.....	360 59 05	
Grand total.....	.....	.....	532,510.80	74,568.85	2,163 53 43	

## RECAPITULATION.

Number of acres surveyed since last report.....	607,079.65
Number of acres previously reported.....	38,675,348.35
Total number of acres surveyed to date.....	39,282,418.00

J. H. BAKER,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE,  
Saint Paul, Minn., August 31, 1877.

F.—*Estimate of appropriations required for continuing the public surveys in Minnesota for the fiscal year ending June 30, 1879.*

*For field work.*

For meridian and standard lines, 242 miles, at \$15 per mile .....	\$3, 630 00
For township lines, 700 miles, at \$12 per mile .....	8, 400 00
For subdividing 30 townships, estimated 2,200 miles, at \$10 per mile .....	22, 000 00
Total for field work .....	34, 030 00

*Salaries.*

For salary of surveyor general .....	\$2, 000 00
For salary of chief clerk .....	1, 500 00
For salaries of three draughtsmen .....	3, 600 00
For salaries of three transcribing clerks .....	3, 400 00
Total for salaries .....	10, 500 00

*Incidentals.*

For pay of messenger, books, printing, binding, and other necessary expenses .....	\$1, 500 00
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J. H. BAKER,  
*Surveyor General.*

SURVEYOR GENERAL'S OFFICE,  
*Saint Paul, Minn., August 31, 1877.*

G.—*Statement of the incidental expenses of the office for the fiscal year ending June 30, 1877.*

For the quarter ending September 30, 1876 .....	\$190 55
For the quarter ending December 31, 1876 .....	196 81
For the quarter ending March 31, 1877 .....	208 46
For the quarter ending June 30, 1877 .....	548 95
Total .....	1, 144 77

J. H. BAKER,  
*Surveyor General.*

SURVEYOR GENERAL'S OFFICE,  
*Saint Paul, Minn., August 31, 1877.*

**D.—*Report of the surveyor general of Dakota.***

UNITED STATES SURVEYOR GENERAL'S OFFICE, DISTRICT OF DAKOTA,  
*Yankton, August 10, 1877.*

SIR: I have the honor to submit the annual report of surveying operations in this surveying district for the fiscal year ending June 30, 1877, compiled from the archives of this office, my charge of the affairs of the district covering but a few weeks of the close of the fiscal year.

**FIELD WORK.**

Surveys to the full amount of the appropriation for the fiscal year ending June 30, 1877, were contracted for and executed, amounting to 23 miles 77 chains and 55 links of township lines, 3,897 miles 1 chain and 77 links of subdivisional lines, and 55 miles 49 chains and 84 links of meander lines, comprising an area of 1,488,003.83 acres, and making a total of 17,800,644.09 acres of surveyed land in the Territory to this date, exclusive of Indian and military reservations.

**OFFICE WORK.**

Field notes have been transcribed and plats and diagrams made of the surveys described in Schedule F, and duplicates of field notes, plats, and diagrams transmitted to the General Land Office. Triplicate plats and descriptive lists of the surveys executed during the year have been transmitted to the proper local land offices. The original field notes of the surveys of the year have been securely bound and indexed, and are

kept in convenient and portable cases. There has also been constructed a large contract and index diagram of the Territory, showing each separate subdivisional contract, in colors, and giving an index to all the standard and township line field notes.

In addition to the above the regular routine work of the office has been as thoroughly kept up as the force at command would allow.

The rapid development of the territory, ceded to the government by the agreement of February 28, 1877, known as the Black Hills, will greatly increase the office work in this district during the present fiscal year.

## MISCELLANEOUS.

In conclusion, I beg to refer you to my annual estimate for work in this district for the fiscal year ending June 30, 1879. Every day emphasizes the statements made therein in support of those estimates. The fruits of the harvest are now generally secure, and are beyond the expectations of the most sanguine. The substantial development of the Black Hills is proceeding rapidly, as is evinced by the increasing demands for mineral surveys in that section. The climatic changes incident to the rapid settlement of the country are marked and favorable, there having been a most equable distribution of rain in sufficient quantity for agricultural purposes. These facts, it is believed, will greatly increase the tide of immigration now coming to the Territory, and increase the necessity for surveys in this district.

Very respectfully,

HENRY ESPERSEN,  
*United States Surveyor General.*

HON. J. A. WILLIAMSON,  
*Commissioner, General Land Office, Washington, D. C.*

## ESTIMATES.

A.—*Estimate of appropriations required for continuing the public surveys in Dakota, for salary of surveyor general and pay of clerks in his office, as per act of Congress March 2, 1861, and for the incidental expenses of the office for the fiscal year ending June 30, 1879.*

## SURVEYS.

For surveying standard lines .....	\$8,000
For surveying township lines .....	12,000
For surveying and subdividing townships .....	30,000
Total for surveys .....	50,000
For salary of surveyor general .....	\$2,000
For pay of clerks in his office .....	6,500
For rent of office, fuel, books, stationery, and other incidental expenses.....	2,500

HENRY ESPERSEN,  
*United States Surveyor General.*

UNITED STATES SURVEYOR GENERAL'S OFFICE,  
*Yankton, D. T., July 7, 1877.*

B.—Statement showing the extent and cost of surveys executed in Dakota during the fiscal year ending June 30, 1877.

Number of contract.	Date of contract.	Name of deputy surveyor.	Character and locality of surveys, all west of the fifth principal meridian and north of base-line.	Township lines.	Section lines and meanders.	Cost of surveys.	Remarks.
				Miles. chs. lks.	Miles. chs. lks.		
153	Sept. 6, 1876	Thomas F. Marshall ....	Subdivision of townships 114 and 115, range 55, and townships 114, 115, and 116, range 56.	.....	300 44 43	\$1,800 00	Survey completed; plats and field notes transmitted, and accounts audited and closed.
154	Sept. 6, 1876	Edward D. Palmer .....	Subdivision of townships 139 and 140, ranges 56 and 57; township 141, ranges 54, 55, and 56, and township 142, range 54.	.....	481 79 89	2,880 00	Do.
155	Sept. 6, 1876	Charles H. Bates .....	Subdivision of townships 114, 115, 116, and 117, range 57, and townships 115 and 116, range 58.	.....	366 49 15	2,160 00	Do.
156	Sept. 6, 1876	James C. Blanding .....	Subdivision of townships 118, 119, and 120, range 57, and townships 117, 118, 119, and 120, range 58.	.....	429 00 53	2,520 00	Do.
157	Sept. 6, 1876	Joseph Allen .....	Subdivision of townships 143 and 144, ranges 53 and 54, and townships 142 and 143, ranges 55 and 56.	.....	479 29 16	2,876 19	Do.
158	Sept. 6, 1876	Edwin H. Van Antwerp	Subdivision of township 117, range 59; townships 115, 116, 117, and 118, range 60, and townships 115 and 116, range 61.	.....	421 29 01	2,520 00	Do.
159	Sept. 6, 1876	George G. Beardsley ....	Subdivision of township 136, ranges 54, 55, and 56; townships 137, 138, 139, and 140, range 60, and township 137, range 61.	.....	503 29 11	2,880 00	Do.
160	Sept. 7, 1876	Horace J. Austin .....	Subdivision of townships 119 and 120, range 56; townships 118, 119, and 120, range 59, and township 119, range 60.	.....	365 49 22	2,160 00	Do.
161	Sept. 8, 1876	Richard O. Chaney .....	Subdivision of township 145, ranges 52 and 53; townships 145, 146, and 147, range 54, and townships 146, 147, and 148, range 55.	.....	484 66 87	2,880 00	Do.
162	Sept. 16, 1876	Edward F. Higbee .....	The north and west exterior boundaries and the subdivision of township 149, ranges 53 and 54.	23 77 55	119 74 24	820 00	Do.
Total .....				23 77 55	3,952 51 61	23,496 19	

*C.—Statement of the condition of appropriation for survey of public lands in Dakota for the fiscal year ending June 30, 1877.*

Dr.				Cr.		
Date of account.	No. of contract.	Contractors.	Amount.	Date.	Appropriation.	Amount.
1876. Nov. 6	153	Thomas F. Marshall .....	\$1,800 00	1876. July 31	By amount assigned to the district of Dakota by the Secretary of the Interior, under date of August 23, 1876.	\$23,500 00
Nov. 6	162	Edward F. Higbee .....	820 00			
Nov. 9	158	Edwin H. Van Antwerp .....	2,520 00			
Nov. 14	155	Charles H. Bates .....	2,160 00			
Nov. 18	160	Horace J. Austin .....	2,160 00			
Nov. 25	154	Edward D. Palmer .....	2,880 00			
Nov. 29	156	James C. Blanding .....	2,520 00			
Dec. 2	161	Richard O. Chaney .....	2,880 00			
Dec. 7	157	Joseph Allen .....	2,876 19			
Dec. 30	159	George G. Beardsley .....	2,860 00			
1877. June 30		To balance .....	3 81			
		Total .....	23,500 00			23,500 00

HENRY ESPERSEN,  
*United States Surveyor General.*

## D.—Statement showing amount of salaries paid surveyor general and clerks for the fiscal year ending June 30, 1877

Dr.			Cr.		
Date.		Amount.	Date.		Amount.
1876.			1865.		
Sept. 30	To salaries for first quarter.....	\$1,706 79	Aug. 15	By appropriation .....	\$6,300 00
Dec. 31	To salaries for second quarter.....	2,418 08	Aug. 15	By additional appropriation.....	244 57
1877.					
Mar. 31	To salaries for third quarter.....	1,326 94			
June 30	To salaries for fourth quarter.....	1,092 76			
	Total .....	6,544 57		Total .....	6,544 57

HENRY ESPERSEN,  
United States Surveyor General.

## E.—Statement showing amount expended for rent of office, fuel, books, stationery, and other incidentals, for the fiscal year ending June 30, 1877.

Dr.			Cr.		
Date.		Amount.	Date.		Amount.
1876.			1876.		
Sept. 30	To expenses for first quarter .....	\$754 33	July 31	By appropriation .....	\$1,500 00
Dec. 31	To expenses for second quarter.....	445 10			
1877.			1877.		
Mar. 31	To expenses for third quarter .....	298 45	Mar. 3	By deficiency appropriation.....	450 00
June 30	To expenses for fourth quarter.....	449 64			
June 30	To balance .....	2 48			
	Total .....	1,950 00		Total .....	1,950 00

HENRY ESPERSEN,  
United States Surveyor General.

F.—A list of townships surveyed, with area of each, from July 1, 1876, to June 30, 1877, showing date of transmission of plats to local land offices.

Number.	Township north.	Range west.	Area.	Plats and descriptive lists, when transmitted.	Land district.
			<i>Acres.</i>		
1	145	52	22,965.09	Jan. 5, 1877	Fargo, Dak.
2	143	53	22,930.14	Jan. 5, 1877	Do.
3	144	53	22,507.03	Jan. 5, 1877	Do.
4	145	53	23,014.47	Jan. 5, 1877	Do.
5	149	53	23,075.12	Jan. 5, 1877	Do.
6	136	54	22,760.32	Jan. 5, 1877	Do.
7	141	54	23,056.66	Jan. 5, 1877	Do.
8	142	54	22,993.20	Jan. 5, 1877	Do.
9	143	54	23,024.45	Jan. 5, 1877	Do.
10	144	54	22,562.25	Jan. 5, 1877	Do.
11	145	54	23,023.45	Jan. 5, 1877	Do.
12	146	54	22,986.39	Jan. 5, 1877	Do.
13	147	54	22,965.09	Jan. 5, 1877	Do.
14	149	54	22,968.24	Jan. 5, 1877	Do.
15	114	55	22,999.47	Dec. 18, 1876	Yankton, Dak.
16	115	55	23,029.98	Dec. 18, 1876	Do.
17	136	55	22,853.35	Jan. 5, 1877	Fargo, Dak.
18	141	55	23,078.59	Jan. 5, 1877	Do.
19	142	55	23,004.90	Jan. 5, 1877	Do.
20	143	55	22,389.68	Jan. 5, 1877	Do.
21	146	55	22,992.28	Jan. 5, 1877	Do.
22	147	55	22,631.72	Jan. 5, 1877	Do.
23	148	55	22,667.56	Jan. 5, 1877	Do.
24	114	56	23,074.52	Dec. 18, 1876	Yankton, Dak.
25	115	56	23,101.36	Dec. 18, 1876	Do.
26	116	56	23,195.35	Dec. 18, 1876	Do.
27	119	56	22,919.11	Dec. 18, 1876	Do.
28	120	56	23,298.47	Dec. 18, 1876	Do.
29	136	56	22,797.77	Jan. 5, 1877	Fargo, Dak.
30	139	56	22,914.64	Jan. 5, 1877	Do.
31	140	56	23,058.23	Jan. 5, 1877	Do.
32	141	56	23,000.96	Jan. 5, 1877	Do.
33	142	56	23,068.25	Jan. 5, 1877	Do.
34	143	56	23,152.59	Jan. 5, 1877	Do.
35	114	57	22,597.51	Dec. 18, 1876	Yankton, Dak.
36	115	57	22,891.35	Dec. 18, 1876	Do.
37	116	57	22,603.71	Dec. 18, 1876	Do.
38	117	57	22,964.81	Dec. 18, 1876	Do.
39	118	57	23,039.07	Dec. 18, 1876	Do.
40	119	57	22,991.63	Dec. 18, 1876	Do.
41	120	57	22,896.28	Dec. 18, 1876	Do.
42	139	57	22,872.79	Jan. 5, 1877	Fargo, Dak.
43	140	57	23,128.11	Jan. 5, 1877	Do.
44	115	58	22,961.99	Dec. 16, 1876	Springfield, Dak.
45	116	58	22,690.90	Dec. 16, 1876	Do.
46	117	58	23,068.21	Dec. 16, 1876	Do.
47	118	58	22,812.22	Dec. 16, 1876	Do.
48	119	58	23,088.24	Dec. 16, 1876	Do.
49	120	58	23,355.48	Dec. 16, 1876	Do.
50	117	59	22,947.24	Dec. 16, 1876	Do.
51	118	59	22,816.36	Dec. 16, 1876	Do.
52	119	59	22,545.65	Dec. 16, 1876	Do.
53	120	59	22,330.11	Dec. 16, 1876	Do.
54	115	60	23,005.84	Dec. 16, 1876	Do.
55	116	60	22,857.15	Dec. 16, 1876	Do.
56	117	60	23,000.24	Dec. 16, 1876	Do.
57	118	60	22,970.64	Dec. 16, 1876	Do.
58	119	60	22,969.32	Dec. 16, 1876	Do.
59	137	60	23,072.92	Jan. 5, 1877	Fargo, Dak.
60	138	60	23,921.81	Jan. 5, 1877	Do.
61	139	60	22,533.07	Jan. 5, 1877	Do.
62	140	60	20,879.28	Jan. 5, 1877	Do.
63	115	61	22,947.60	Dec. 16, 1876	Springfield, Dak.
64	116	61	23,131.54	Dec. 16, 1876	Do.
65	137	61	23,052.08	Jan. 5, 1877	Fargo, Dak.

## RECAPITULATION.

Total number of acres surveyed in fiscal year ending June 30, 1877 .....	1,488,003.83
Eight hundred townships previously reported .....	16,312,660.26
Total number of acres surveyed .....	17,800,664.09

HENRY ESPERSEN,  
United States Surveyor General.



*E.—Report of the surveyor-general of Nebraska.*

SURVEYOR GENERAL'S OFFICE,  
Plattsmouth, Nebr., August 31, 1877.

SIR: In compliance with your circular letter "E" of April 3, 1877, I have the honor to submit herewith the annual report of this office (in duplicate) for fiscal year ending June 30, 1877.

## SURVEYS.

The surveys contracted for out of apportionment made to this district of general appropriation, approved July 31, 1876, have been completed; also survey of Fort Kearney military reservation, payable out of appropriation made for that purpose, approved July 21, 1876.

## OFFICE WORK.

The field notes of 72 miles of standard and 535 miles 53 chains and 20 links of exterior township lines have been examined and approved, and diagrams (in duplicate) and transcripts of field notes made and transmitted to the department.

The field notes of 3,371 miles 53 chains and 25 links of subdivision lines have been examined and approved, transcripts thereof and transcript plats (in triplicate) made and transmitted to the department.

Descriptive lists and plats of 56 townships have also been transmitted to the proper local land office.

The field notes of the survey of the Fort Kearney military reservation, contract No. 105 of Messrs. Dake & Murphy, have not yet been submitted by the deputies for examination and approval, but are nearly completed.

The usual miscellaneous work of the office has been done during the year.

## PROPOSED SURVEYS.

The estimates for the surveying service in this district for fiscal year ending June 30, 1879, were made and transmitted July 31, 1877, in compliance with your instructions of April 3, 1877.

The proposed surveys include a large portion of the country watered by the Niobrara River and its tributaries, and embrace lands valuable for agricultural and grazing purposes; also, from the best information that can be obtained, lands bearing timber of commercial value; being properly classed under the first, second, and third classes of lands authorized to be surveyed, as designated in your letter "E" of August 23, 1876.

In consequence of the large deposits of grasshopper eggs, made in this and neighboring States last fall, the apprehension was general, in the early part of this season, of further devastation from this destructive pest; but such fears have not been realized. The "hoppers" hatched in countless myriads, but died or disappeared, doing comparatively little damage anywhere, and our crops already harvested exceed those of any former year, while the prospect for a corn crop is excellent, and the average planted much larger than ever before.

The results of this year will, it is believed, more than counterbalance the injury our State has suffered from the disasters resulting from grasshopper raids in the past, and the tide of immigration that has already commenced to flow into the State gives the assurance of a new era of prosperity and material advancement.

In conclusion I have the honor to call your attention to the following tables accompanying this report:

A.—Statement of the condition of the public surveys under appropriations for fiscal year 1877 and deficiency in survey of Indian reservations for fiscal year 1874.

B.—Statement showing contracts entered into and condition of public surveys under appropriation for survey of Fort Kearney military reservation and under appropriation for fiscal year 1878.

C.—Statement showing the amount expended for salaries of surveyor general and clerks during fiscal year ending June 30, 1877.

D.—Statement showing the amount expended for rent of office and other incidental expenses during fiscal year ending June 30, 1877.

E.—Statement showing the description of land, area, and number of miles, for which duplicate plats and transcripts of field notes have been transmitted to the department, and triplicate plats and descriptive lists have been furnished to the local land office during fiscal year ending June 30, 1877.

F.—Statement showing the description and number of township plats and descriptive lists furnished the local land offices during fiscal year ending June 30, 1877.

G.—Estimate of sums required for the extension of the public surveys in Nebraska for fiscal year ending June 30, 1879.

H.—Estimate of sums required for office expenses for fiscal year ending June 30, 1879.

I.—Statement showing the names, duties, nativity, whence appointed, term of service, and rate of compensation per annum of persons employed in the surveyor general's office of the district of Nebraska and Iowa during the fiscal year ending June 30, 1877.

K.—Diagram showing surveys completed to June 30, 1877, and those under contract, for fiscal year 1878.

All of which is respectfully submitted.

JNO. R. CLARK,

*Surveyor General Nebraska and Iowa.*

Hon. J. A. WILLIAMSON,

*Commissioner of the General Land Office, Washington, D. C.*

A.—Statement showing condition of public surveys under appropriation for field work during the fiscal year ending June 30, 1877, and deficiency survey of Indian reservations for fiscal year 1874.

Name of contractor.	No. of contract.	Date.	Amount and locality.	Character of work and number of miles.			Cost per mile.	Total cost.	Amount of appropriation.	Condition of work.
				Standard.	Township.	Section.				
Stephenson, McElroy & Wells.	103	1876. Sept. 6	All north of baseline and west of sixth principal meridian, Nebraska.	M. chs. lks.	M. chs. lks.	M. chs. lks.				Survey completed and approved and maps and transcripts transmitted.
			Townships 19 and 20, range 36; and townships 17 to 20, ranges 37 to 40, inclusive.	.....	162 63 33	.....	7	.....	.....	
Cunningham, Dorrington, Cunningham, Fairfield, & La Munyon.	104	Sept. 6	Townships 19 and 20, range 36; and townships 17 to 20, inclusive, range 37; townships 17 to 20, inclusive, range 38; and townships 17 to 20, range 39; townships 17 to 20, range 40, inclusive.	.....	.....	1,085 74 20	6	\$7,655 11	.....	Do.
			Fifth guide meridian west, between fifth and sixth standard parallel north.	24 00' 00	.....	.....	10	.....	.....	
			Sixth standard parallel north, between fourth and fifth guide meridian west.	48 00 00	.....	.....	10	.....	.....	
			Townships 25 and 26, ranges 30 to 32, inclusive; and townships 21 to 24, ranges 33 to 40, inclusive.	.....	372 69 87	.....	7	.....	.....	
			Townships 25 and 26, range 30; townships 25 and 26, range 31; and townships 25 and 26, range 32; townships 21 to 24, inclusive, range 33; townships 21 to 24, inclusive, range 34; townships 21 to 24, inclusive, range 35; townships 21 to 24, inclusive, range 36; townships 21 to 24, inclusive, range 37; townships 21 to 24, inclusive, range 38; townships 21 to 24, inclusive, range 39; and townships 21 to 24, inclusive, range 40.	.....	.....	2,285 59 08	6	17,044 53	.....	
				.....	.....	.....	.....	.....	.....	
White & Hull, (deficiency account.)	78	1873. July 3	Retracing base line through Otoe and Missouri Indian reservation.	15 34 57	.....	.....	12	.....	.....	

	Exteriors and subdivisions into 40-acre tracts of townships 1 and 2, ranges 4 and 5; and township 2, range 6, all north of base line and east of sixth principal meridian in Nebraska;	39 71 06	9		
	And township 1 south, ranges 4, 5, and 6 east, in Kansas.		559 29 79	8	
	Total amount.....				
	By payment of account rendered January 31, 1874.....				
	Balance due .....				2,019 15
	Total number of miles, (surveys fiscal year 1877).....	72 00 00	535 53 20	3,371 53 28	
<hr/>					
	By apportionment out of appropriation for surveys for fiscal year 1877 .....				\$25,000 00
	By appropriation approved July 21, 1876, for the survey of Fort Kearney military reservation .....				3,000 00
	By special deposit by Union Pacific and Burlington and Missouri River Railroad Companies for field work .....				250 87
	By appropriation "for amount due White and Hull for survey of Otoe Indian reservation under contract of July 3, 1873, being deficiency for fiscal year 1877.....				2,019 15
	To unexpended balance of appropriation for fiscal year 1877 .....				300 36
	To unexpended balance of special deposit of Union Pacific and Burlington and Missouri River Companies for field work .....				250 87
	To unexpended appropriation for survey of Fort Kearney military reservation .....				3,000 00
	Total.....				30,270 02
					30,270 02

B.—Statement showing the contracts entered into and condition of the public surveys under appropriation for the survey of Fort Kearney military reservation and appropriation for fiscal year ending June 30, 1878.

Name of contractor.	No.	Date.	Character of work.	Amount and locality.	Estimated cost.	Amount of appropriation.		Condition of work.
				<i>All north of base line and west of sixth principal meridian, Nebraska.</i>				
Dake & Murphy .....	105	1877. Jan. 30	Standards.....	Re-establish second standard parallel from corner to township 9, between ranges 12 and 13, through the Fort Kearney military reservation, to intersection of west boundary of reserve.	.....	By appropriation approved July 21, 1876, for survey Fort Kearney military reservation.	\$3,000	Field work completed.
			Exteriors and subdivisions.	Exteriors and subdivisions of fractional townships 7, 8, and 9, ranges 14 and 15, and the islands in Platte River, in fractional townships 8 and 9, in range 13, and in township 8, ranges 16 and 17.	\$3,000	By assignment out of appropriation approved March 3, 1877, for fiscal year 1878.	14,400	
Cutler, Schlegel, Hardin & Scott.	106	July 17	Standards .....	Sixth and seventh guide meridians from fifth to sixth standard parallel, and sixth standard parallel from fifth guide meridian to west boundary.	.....			Parties in the field.
			Exteriors and subdivisions.	Townships 21, 22, 23, and 24, ranges 49, 50, 51, 52, 53, 54, 55, 56, 57, and 58; township 19, ranges 49 and 50; township 20, ranges 50, 51, and 52; township 21, ranges 53, 54, 55, and 56; township 22, range 54; and townships 22 and 23, range 55.	9,000			
Paul & Crowell .....	107	July 30	Standards.....	Eighth standard parallel from fourth to fifth guide meridian, and fifth guide meridian from eighth standard parallel to north boundary of State.	.....			Parties in the field.
			Exteriors and subdivisions.	Townships 33, 34, and 35, ranges 33, 34, 35, 36, and 37; townships 33, 34, and 35, ranges 33, 34, 35, and 36; and township 34, range 37.	5,400			
					17,400		17,400	

C.—Statement showing the amounts expended for salaries of surveyor general and clerks during fiscal year ending June 30, 1877.

By appropriation for compensation of surveyor general for fiscal year 1877..	\$2,000 00
By appropriation for salary of clerks for fiscal year 1877 .....	3,600 00
By appropriation for salaries, in addition to the regular appropriation.....	330 16
By special deposit made by Union Pacific Railroad Company for office work	
August 11, 1876, certificate of deposit No. 2120, Omaha National Bank.....	10 23
By balance of special deposits for office work of Union Pacific Railroad Company and Burlington and Missouri River Railroad Company, in Nebraska, from former years.....	9,794 07
Sept. 30, 1876. To first quarter, ending September 30, 1876.....	\$1,332 32
Dec. 31, 1876. To second quarter, ending December 31, 1876.....	1,425 00
Mar. 31, 1877. To third quarter, ending March 31, 1877.....	1,425 00
June 30, 1877. To fourth quarter, ending June 30, 1877.....	1,425 00
June 30, 1877. To balance of appropriation unexpended.....	322 84
June 30, 1877. To balance of special deposit unexpended.....	9,804 30
Total .....	15,734 46

D.—Statement showing the amount expended for rent of office and other incidental expenses, and condition of account during fiscal year ending June 30, 1877.

By appropriation for rent of office and other incidental expenses for fiscal year 1877 .....	\$1,500 00
By appropriation to supply deficiency for fiscal year 1877.....	200 00
Sept. 30, 1876. To first quarter, ending September 30, 1876.....	\$480 48
Dec. 31, 1876. To second quarter, ending December 31, 1876.....	348 75
Mar. 31, 1877. To third quarter, ending March 31, 1877.....	451 09
June 30, 1877. To fourth quarter, ending June 30, 1877.....	418 22
June 30, 1877. To balance of appropriation unexpended.....	1 46
Total .....	1,700 00

E.—Statement showing the description of land, area and number of miles, for which duplicate plats and transcripts of field notes have been transmitted to the department, and triplicate plats and descriptive lists have been furnished to the Land Office, during fiscal year ending June 30, 1877.

Number of township.	Description.		Number of acres.	Amount of survey.			Number of township.	Description.		Number of acres.	Amount of survey.		
	Township north.	Range west.		Miles.	Chains.	Links.		Township north.	Range west.		Miles.	Chains.	Links.
1	25	30	23,021.97	59	79	52	29	21	37	23,066.02	60	05	48
2	26	30	23,011.83	59	63	30	30	22	37	23,096.26	60	07	64
3	25	31	23,059.67	60	05	96	31	23	37	23,053.70	60	02	54
4	26	31	23,087.68	60	04	99	32	24	37	23,016.02	60	00	46
5	25	32	23,067.71	60	04	22	33	17	38	23,035.60	60	03	41
6	26	32	23,065.50	60	05	62	34	18	38	23,025.13	60	.....	74
7	21	33	23,043.04	60	02	23	35	19	38	22,987.10	59	77	47
8	22	33	23,043.14	60	02	01	36	20	38	23,178.98	60	64	.....
9	23	33	23,090.58	60	05	73	37	21	38	23,034.52	60	01	43
10	24	33	23,096.77	60	10	29	38	22	38	23,042.28	60	02	52
11	21	34	23,034.50	60	03	42	39	23	38	23,018.74	59	77	31
12	22	34	23,056.85	60	04	14	40	24	38	22,982.92	60	07	39
13	23	34	23,068.10	60	01	49	41	17	39	23,106.85	60	09	33
14	24	34	23,054.18	60	13	80	42	18	39	23,123.26	60	09	30
15	21	35	23,068.99	60	07	45	43	19	39	23,162.79	60	15	44
16	22	35	23,017.45	59	78	84	44	20	39	23,348.75	61	15	14
17	23	35	23,029.53	60	.....	37	45	21	39	23,064.20	60	03	15
18	24	35	22,995.37	60	24	46	46	22	39	23,064.04	60	03	41
19	19	36	23,027.85	60	02	42	47	23	39	23,059.59	60	02	68
20	20	36	23,322.60	60	52	52	48	24	39	22,999.41	61	06	23
21	21	36	23,098.88	60	09	12	49	17	40	23,042.53	60	02	44
22	22	36	23,088.72	60	06	08	50	18	40	23,114.16	60	07	44
23	23	36	23,061.37	60	05	64	51	19	40	23,239.94	60	21	86
24	24	36	23,033.48	60	45	43	52	20	40	23,412.77	61	37	28
25	17	37	23,116.91	60	08	93	53	21	40	22,969.60	59	74	51
26	18	37	23,097.15	60	06	97	54	22	40	22,966.03	59	73	82
27	19	37	23,057.18	60	06	13	55	23	40	22,951.91	59	72	26
28	20	37	23,206.88	60	53	38	56	24	40	22,930.06	61	06	04

F.—Statement showing the description and number of township maps and descriptive lists furnished the Western land office during fiscal year ending June 30, 1877.

Townships and ranges all north of base line and west of 6th principal meridian, State of Nebraska.	When transmitted.	Number.
To Register Western Land District: Townships 21 to 24, ranges 33 to 40, inclusive; townships 17 to 20, ranges 37 to 40, inclusive; townships 25 and 26, ranges 30, 31, and 32.....	Apr. 14, 1877	-----
Townships 19 and 20, range 36 .....	May 3, 1877	-----
Total number of plats .....		56
Descriptive lists .....	May 3, 1877	56

G—Estimate of sums required for the extension of public surveys in the State of Nebraska for fiscal year ending June 30, 1879.

	Number in miles.	Rate per mile.	Amount.
<i>Standard lines.</i>			
Fifth, sixth, and seventh guide meridians from the sixth standard parallel to north boundary of State; the seventh and eighth standard parallels from the fourth guide meridian to west boundary of State..	495	\$15 00	\$7,425 00
<i>Exterior lines.</i>			
Townships 21 to 24, ranges 41 to 48, both inclusive; townships 27 to 32, ranges 30 to 32, both inclusive; and townships 25 to 32, ranges 33 to 58, both inclusive.....	3,030	12 00	36,360 00
<i>Subdivision lines.</i>			
Seventy-five townships within above exterior lines coming under some one or more of the four classes of lands authorized to be surveyed in letter "E" of the honorable Commissioner of the General Land Office, dated August 23, 1876, to be selected after survey of standard and exterior lines .....	4,500	10 00	45,000 00
Total .....			88,785 00

JNO. R. CLARK,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE,  
District of Nebraska and Iowa, Plattsmouth, Nebr., July 31, 1877.

H.—Estimate of sums required for office expenses for fiscal year ending June 30, 1879.

Salary of surveyor general .....	\$3,000 00
Salary of chief clerk .....	1,600 00
Salary of principal draughtsman .....	1,300 00
Salary of two assistants, at \$1,200 each .....	2,400 00
Salary of three copyists, at \$1,100 each .....	3,300 00
Office rent, fuel, stationery, and binding .....	3,000 00
Total .....	14,600 00

JNO. R. CLARK,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE,  
DISTRICT OF NEBRASKA AND IOWA,  
Plattsmouth, Nebr., July 31, 1877.



I.—Statement showing the names, duties, nativity, whence appointed, term of service, and rate of compensation per annum, of persons employed in the surveyor general's office of Nebraska and Iowa during the fiscal year ending June 30, 1877.

Name.	Duty.	Nativity.	Whence appointed.	Term of service.	Salary per annum.
John R. Clark.....	Surveyor general ...	Ohio .....	Nebraska.	Entire year.....	\$2,000 00
Alexander Schlegel.	Chief clerk .....	Switzerland...	do .....	{ Aug. 1 to Aug. 31, both inclusive.	1,600 00
Thomas Pollock....	do .....	Pennsylvania..	do .....	{ Sept. 1 to Apr. 17, both inclusive.	1,500 00
Thomas Pollock....	do .....	Pennsylvania..	do .....	{ Apr. 18 to June 30, both inclusive.	1,500 00
Herman Smith. {	Principal draughtsman.	{ Germany .....	do .....	{ Aug. 1 to Aug. 31, both inclusive.	1,300 00
Accountant.....				{ Sept. 1 to June 30, both inclusive.	1,200 00
				{ Aug. 1 to Aug. 31, both inclusive.	1,200 00
Thomas Pollock....	Transcribing clerk..	Pennsylvania..	do .....	{ Sept. 1 to Apr. 17, both inclusive.	1,000 00
James Pettee .....	do .....	Massachusetts	do .....	{ Aug. 1 to Aug. 31, both inclusive.	1,100 00
Edwin A. Kirkpatrick.	do .....	Iowa.....	do .....	{ Apr. 18 to June 30, both inclusive.	1,000 00
P. P. Gass.....	Messenger .....	Ohio .....	do .....	{ Aug. 1 to Aug. 31, both inclusive.	1,000 00
				Entire year .....	720 00

#### F.—Report of the surveyor general of Wyoming.

SURVEYOR GENERAL'S OFFICE, CHEYENNE, WYO.,

August 10, 1877.

SIR: In compliance with your instructions of April 3, 1877, I have the honor to submit herewith, in duplicate, my annual report of the surveying operations of the Wyoming district for the fiscal year ending June 30, 1877:

##### PROGRESS OF THE PUBLIC SURVEYS OF WYOMING TERRITORY.

The exterior township lines of twenty-eight different townships have been surveyed and established, the total length of which is two hundred and fifty-four miles seventy-five chains and twenty-five links; and fifteen townships, three of which are made fractional by the military reservations of Fort Laramie and Fort Steele, containing three hundred and thirty-six thousand four hundred and  $\frac{20}{100}$  acres, have been subdivided into sections, amounting, in length of lines, to eight hundred and eighty-two miles seventy-eight chains and sixty-five links; a detailed statement of which is given herewith in tabular form.

The most eastern of these surveys are adjoining Fort Laramie military reservation, and south and west of that point, on Laramie River and some of its southern tributaries, and embrace lands on which settlements are already located, timber of good quality is found, and on some of which a heavy growth of grass and facilities for irrigation are reported by the surveyor. Some portions of this region, however, especially the timbered lands, are rendered broken by the intrusion of the eastern slope of the Black Hills Range of Wyoming.

The middle portions of these recent surveys are adjoining and in the vicinity of Fort Steele and Rawlins, and are within the limits of the Union Pacific Railroad land grant. They comprise large bodies of coal lands, as reported in the field notes, and that mineral seems to constitute the principal value of these lands, the soil being generally inferior.

The most western surveys, mainly exterior township lines, and also within the limits of the Union Pacific Railroad land grant, in the vicinity of Rock Springs and Green River City, are watered by some of the eastern tributaries of Green River, and also comprise large tracts of coal lands, on which several mines have been successfully worked, that near Rock Springs yielding a valuable article of coal. An appended table gives the area of these coal lands, as reported in each township subdivided, and makes an addition to the area of this class of mineral lands previously surveyed of twenty-four thousand five hundred and fifty-four and  $\frac{20}{100}$  acres. The agricultural lands embraced in these surveys will probably be found to be more profitable for the raising of cattle and sheep than for farming purposes, as the dry and moderate climate is known to be very favorable to stock raising, without the usual expense and labor of accumulating hay in large quantities for winter feed, and the erection of barns and sheds.

The surveys have, by these late additions, been rendered continuous, through the southern portion of this Territory, from the east to the west boundary, and mainly within the Union Pacific Railroad grant.

All of these new surveys are delineated on the accompanying map in red ink, and the position of the railroad, stations, streams, and other topography, corrected to conform to the field notes; and the locality of Salt Wells, Point of Rocks, and Bitter Creek Stations, and the Hallville and other coal mines, is indicated thereon.

#### SURVEYS OF MINERAL LAND CLAIMS.

The first survey of the Centennial soda mine, No. 37, suspended at my last report on account of inaccuracies, was, at the request of claimants, resurveyed August 26, 1876, and shows a conflict with soda mining claim No. 40, in Natrona mining district, Carbon County, of 10.15 acres.

Three copper mining claims have also been surveyed in the Earnest mining district, Carbon County, and they are situated between the Grand Encampment and the North Platte Rivers, about forty-five miles south-southeast from Fort Steele and ten miles north of the south boundary of Wyoming. Being on unsurveyed lands, these three mineral surveys are made with reference to a common locating monument, previously established for that purpose. Specimens of the ore obtained from these mines indicate valuable deposits.

#### CANCELED CONTRACT, SMALL APPROPRIATION, AND PAY PER MILE.

Contract numbered 86, dated July 28, 1875, and awarded to John B. Thomas, United States deputy surveyor, was, by his request, and with the consent of his sureties and that of the department, canceled August 28, 1876, and the unexpended balance of the appropriation of March 3, 1875, out of which this contract was payable, viz, \$2,975.13, reverted to the United States Treasury.

The surveys of 1876 were greatly reduced by the lateness of the season in which surveys can be made, and the limited amount appropriated for that purpose. Two months of good weather were found to be insufficient for the completion of surveys in remote portions of the Territory and in a mountainous region difficult of accurate measurement; and though one contract was, with great risk, completed amid the early snows, on two others the deputies were compelled to abandon the field and request an extension of time to the end of the fiscal year, which was conceded to them.

It is unfortunate for a corps of honest and faithful surveyors, whose toilsome profession is poorly remunerative at best, to have the price per mile so much reduced at a period when the larger portion of the Wyoming plains are surveyed, and the mountainous and timbered lands are just being commenced; and it is apprehended that there will be a difficulty in the retaining of this class of deputies, under compensation that leaves so little margin for profit. To insure good work, liberal pay is much more indispensable at the present stage of the public surveys of this district than ever before.

#### AREA OF SURVEYS.

Of the estimated total area of Wyoming, viz, 62,645,120 acres, the regular public surveys in sections comprise 7,533,400 acres, the subdivisions within the Shoshone Indian reservation 172,102 acres, mining claims 521 acres, and coal reservation 99 acres; amounting, in the aggregate, to 7,706,178 acres which have been surveyed previously to June 30, 1877.

#### BOUNDARY SURVEYS.

The survey of the north half of the eastern boundary of Wyoming from the forty-third degree of north latitude, or northwest corner of Nebraska, to the northeast corner of this Territory, at latitude 45° north, was recommended in my last report, and is now being established, under the instructions of the General Land Office; and the marking out of this line will soon decide important questions of civil and municipal jurisdiction, and form a basis for the surveys of mining claims in Crook County, which, with the county of Pease, has been lately defined as to boundaries; and their limits are delineated on the accompanying map. Some of the mining towns of the Black Hills gold region are sufficiently near to the territorial boundary to manifest a deep interest in this survey.

#### PROPOSED SURVEYS.

The accompanying estimates for the extension of the public surveys in Wyoming during the fiscal year ending June 30, 1879, are intended for the grazing and agricultural lands near Fort Laramie, which are now being settled, and as a hay reservation was lately eliminated from the military reservation; for extending the contiguous surveys across the North Platte River, as soon as officially notified of the extinguishment of the Indian title in the Sioux reservation lately effected by treaty; for the completion of such surveys within the limits of the Union Pacific Railroad land grant as comprise coal, settlements, water, and timber, and for the survey of valuable timber and mineral lands in and near the Medicine Bow Mountains, as desired by the settlers in the region of Laramie City.

## LAND DISTRICT BOUNDARY.

As the line of ranges 93 and 94 west will, on account of offsets west for convergency, nearest coincide with the line of longitude  $31^{\circ}$  west of Washington, which is made the boundary line between the Cheyenne and Evanston land offices, and as longitude  $31^{\circ}$  west is not surveyed, it is respectfully suggested, in order to avoid the expense of making a double set of plats and descriptive lists for any townships that may be divided by this line of longitude, that the line of ranges 93 and 94 west of the sixth principal meridian be adopted as the dividing line in the distribution of plats and lists.

## OFFICE WORK.

Of the aforesaid recent surveys contracted for by this office, and payable out of the appropriation of July 31, 1876, of \$16,500, made for surveys during the fiscal year ending June 30, 1877, the original field notes of the exterior and subdivision lines having been returned by the deputies, were carefully and critically examined, and, after all necessary corrections and explanations were made, these notes were approved upon intrinsic evidence of correctness.

The original plats of these township lines and subdivisions have been constructed on the required scale from the notes and placed on file, and a copy of each plat has been made and compared, and transmitted to the General Land Office. Copies of all the plats of subdivisions have also been made, compared, and transmitted to the proper local land office, and a list of these register's plats has been added to the schedule posted in this office.

The original field notes of all the aforesaid surveys have been transcribed, compared, prefaced with title pages and index diagrams, and, with the plats and surveyors' accounts, transmitted to the General Land Office.

Two hundred and sixty-six lists, descriptive of the corners, soil, timber, &c., of one hundred and thirty-three townships and fractional townships, including the subdivisions of 1876, have been compiled, carefully compared with the original field notes, certified, and transmitted to the proper local land offices and the register's receipt for the same placed on file. The descriptive lists of all the subdivisions in Wyoming have therefore been completed within the last eighteen months, as none had been delivered to the register previously.

The original field notes of the resurvey of the Centennial soda mining claim, in the valley of the Sweetwater, and of the three surveys of copper mining claims above mentioned, have been examined and approved, plats in quadruplicate and transcripts of each survey made, and two copies of the plats of each survey, with a transcript of the original field notes, furnished to the claimants, one plat of each survey transmitted to the local land office, and the original plats and field notes filed in this office.

A larger clerical force will probably be soon required to perform the increased office work on mining claims. Many of the Black Hills mines will doubtless be found to be in Wyoming. In the Sweetwater mines a shaft 150 feet deep employs twelve miners, and the quartz is said to yield \$100 per ton. In another shaft an eight inch steam pump clears the mine of water, which is utilized by ten gulch miners in the same vicinity. A ditch of 1,000 inches flow will soon supply several hundred miners in the dry gulches, and 150 men are at work in the placer mines, while an equal number are mining in quartz. Placer miners sometimes earn \$10 per day.

Late discoveries in the placer and quartz mines of the Big Horn Mountains have proven still richer, and warrant the purchase of stamp mills to be transported a great distance over the plains.

Applications for surveys of mines are frequently more urgent than the regular surveys, and require prompt official action.

## MISCELLANEOUS OFFICE WORK.

The binding of the field notes of the late surveys has been deferred until the contracts of 1876, on which an extension of time was given, are completed and approved. Much of the time employed in the regular office work is required in preparing contracts and bonds in quadruplicate, special instructions to deputies, with two copies and a record of the same, surveyors' diagrams of the exterior boundaries of the surveys contracted for, surveyors' and quarterly accounts, and the record of same: estimates of the cost of survey and office work on lands inuring to the Union Pacific Railroad Company, requiring various and careful calculations; computations of fractional areas in subdivisions, official correspondence with the department and with United States deputy surveyors, and record of the same; the general and miscellaneous letters and office work; the additions and corrections on the commissioner's map of Wyoming, and the annual report in duplicate and recording it, all of which require accuracy and diligence.

## OFFICE ROOMS.

The transfer of this office to the present new, neatly finished, and commodious apartments may be considered a prudent move, as it secures greater immunity from fire, and the four large rooms, opening into each other and into a common hall, afford a much better light for fine drawing. The lease, at \$500 per annum, to the end of 1879, is at a lower rate than that of other and smaller rooms on the same floor.

## CLERKS.

The limited number of clerks reported in the accompanying table is owing to the deficiency in the amount appropriated for their salaries in 1876, thereby causing the loss to this office of a very efficient and experienced draughtsman, and imposing a double duty on the remaining clerical force, and the necessity of working long beyond office hours to avoid delay in the adjustment of the surveyors' accounts, which could not be accomplished without the accompanying plats and transcripts.

## CONTRACTS OF 1877.

Out of the estimated balance of the appropriation of July 31, 1876, a contract has been issued for the extension of the twelfth guide meridian west to the south boundary of the Shoshone Indian reservation; the seventh standard parallel north, 48 miles west from said guide; the eighth standard parallel north, 36 miles west from the same guide; the survey of the exterior lines of thirty townships, and the subdivision of four of them, containing, as supposed, the greatest number of settlers, they having petitioned for the survey of these lands.

This work is undertaken in compliance with the recommendation of the Commissioner of the General Land Office, August 23, 1876, and given in his notice of the aforesaid appropriation.

The deputy in charge of this survey reports rougher ground and fewer settlements than was anticipated; and the price per mile will but little more than pay the cost of travel and field work in this remote region.

At the close of this report, and of the fiscal year 1876-'77, with the exception of twelve miles in the Wind River Mountains, which were too precipitous to survey, the aforesaid standard lines are completed, and the township lines are now being established.

Of the unfinished surveys of 1876, on which an extension of time was granted, contract No. 88, of September 11, 1876, is completed, and No. 89, of September 19, 1876, nearly so, the country being very mountainous.

## ACCOMPANYING DOCUMENTS.

A. Statement showing the contracts entered into and the condition of the public surveys under the appropriation for fiscal year ending June 30, 1877.

B. Statement showing the townships, ranges, areas, and amounts of surveys for which duplicate plats and transcripts of the field notes have been transmitted to the General Land Office, triplicate plats and descriptive lists furnished the local land offices, and original plats and field notes filed in this office.

C. Statement of the townships, ranges, and areas of coal lands surveyed in Wyoming Territory from June 30, 1876, to June 30, 1877, as shown on the original plats on file in this office.

D. Statement showing the number, title, area, and claimants of mining claims in mineral districts Nos. 1 and 2, Natrona and Earnest mining districts, Carbon County, Wyoming, surveyed by William Harden and William B. Yerby, United States deputy mineral surveyors, \$25 being deposited on each claim for office work.

E. Statement showing the description and number of township plats and descriptive lists furnished the local land offices during the fiscal year ending June 30, 1877.

F. Statement of amounts deposited by individuals for office work on mining claims and by the Union Pacific Railroad Company for cost of survey and office work on lands inuring to said company, showing the balance unexpended and available for the surveying service in Wyoming Territory.

G. Statement showing the amount paid to surveyor general and the clerks in his office during the fiscal year ending June 30, 1877.

H. Statement of amounts paid for rent of office, fuel, &c., during the fiscal year ending June 30, 1877.

I. Estimate of the appropriation required for the extension of the public surveys in Wyoming Territory during the fiscal year ending June 30, 1879.

K. Statement showing the names, duties, nativity, whence appointed, residence, date of appointment, and rate of compensation per annum of persons employed in the surveyor general's office of Wyoming Territory at the close of the fiscal year ending June 30, 1877.

L. Table, prepared by Asa C. Dobbins, esq., observer in charge of the United States Signal Service Office at Cheyenne, Wyoming Territory, showing the monthly mean temperature from June 30, 1876, to June 30, 1877.

M. Table prepared by Asa C. Dobbins, esq., observer in charge of the United States Signal Service Office at Cheyenne, Wyoming Territory, showing the daily temperature of the months of January and February, 1877, from observations at 5 a. m., 2 p. m., and 9 p. m.

N. Statement of the number of cars of live stock shipped on the Union Pacific Railroad, in Wyoming Territory, from June 30, 1876, to June 30, 1877, as reported by W. P. Davis, esq., division superintendent.

All of which is respectfully submitted.

EDW. C. DAVID, *Surveyor General.*

Hon. J. A. WILLIAMSON,

*Commissioner General Land Office, Washington City, D. C.*

A.—Statement showing the contracts entered into and the condition of the public surveys under the appropriation for fiscal year ending June 30, 1877.

No. of contract.	Date.	Names of contractors or deputy surveyors.	Character, number of township, and range of surveys north of base line and west of sixth principal meridian.	Sums paid for surveys.	Condition of field and office work.
86	1875. July 28	John B. Thomas ....	Subdivisions and township lines on balance of appropriation of 1875.	\$2,975 13	Canceled.
87	1876. Sept. 7	William B. Yerby...	Subdivision of township 20, range 84; townships 19 and 20, range 85; townships 19 and 20, range 86; township 19, range 87; townships 19 and 20, range 88.	2,872 93	Completed.
88	Sept. 11	Richard Blackstone	West boundary of township 20 ranges 97, 98, 99, 100, 101, 102, and 103; west and north boundaries of townships 17, 18, and 19, ranges 99, 100, 101, and 102; and north boundaries of townships 17, 18, and 19, range 103; and subdivisions of townships 17 and 18, range 104; township 17, range 105, and townships 17 and 18, range 106, partly surveyed.	2,499 33	Unfinished.
89	Sept. 19	Alfred M. Rogers ...	North and west boundaries of township 25, range 69; townships 21, 22, 23, and 25, range 70; townships 21, 22, and 23, range 71; north boundaries of townships 21, 22, and 23, range 72; and west boundaries of township 24, ranges 70 and 71; and subdivisions of townships 22 and 25, range 65; township 25, range 69, and townships 21, 22, and 25, range 70, partly surveyed.	1,768 30	Do.
90	1877. Apr. 2	William B. Yerby...	Twelfth guide meridian west, from fifth standard parallel north to Shoshone Indian reservation and convergency on sixth, seventh, and eighth standard parallels north; seventh standard parallel north, from twelfth to thirteenth guide meridian west; eighth standard parallel north, from twelfth guide meridian west to line of ranges 102 and 103; exteriors of townships 29, 30, 31, 32, and 33, ranges 97, 98, 99, 100, 101, 102; and subdivisions of townships 32 and 33, range 99; and townships 33, ranges 100 and 101.	.....	Do.
91	May 23	Richard Blackstone.	Subdivisions of townships 17, 18, and 19, range 103, and township 18, ranges 99 and 100.	.....	Do.
Appropriation of July 31, 1876.....					\$16,500 00
Amount paid on contracts 87, 88, and 89.....				7,140 56	
Estimated cost of balance of contracts 88 and 89.....				1,951 37	
Estimated cost of contracts 90 and 91.....				6,750 00	
Balance unexpended but liable for extension of contract 90.....				658 07	
Total.....				16,500 00	16,500 00

SURVEYOR GENERAL'S OFFICE,  
Cheyenne, Wyo., August 10, 1877.

EDW. C. DAVID, Surveyor General.

B.—Statement showing the townships, ranges, areas, and amounts of surveys for which duplicate plats and transcripts of the field notes have been transmitted to the General Land Office, triplicate plats and descriptive lists furnished the local land offices, and the original plats and field notes filed in this office.

Number of township.	Townships north.	Ranges west.	Area, acres.	Subdivisions.		
				Miles.	Chains.	Links.
1.....	22	65	22, 816. 20	59	49	21
2.....	25	65	19, 857. 61	51	2	80
3.....	21	70	23, 076. 26	60	9	02
4.....	22	70	23, 067. 71	59	71	45
5.....	20	84	22, 067. 39	58	74	63
6.....	19	85	22, 983. 62	59	74	66
7.....	20	85	21, 030. 40	57	16	13
8.....	19	86	22, 967. 59	59	71	98
9.....	20	86	22, 117. 58	58	64	10
10.....	19	87	22, 908. 62	59	67	.....
11.....	19	88	22, 648. 73	50	36	06
12.....	20	88	21, 678. 38	58	13	52
13.....	17	104	23, 073. 76	60	3	34
14.....	18	104	23, 074. 13	60	4	45
15.....	17	105	23, 032. 22	60	.....	30
Total .....	.....	.....	336, 400. 20	882	78	65

## RECAPITULATION.

	Townships.	Acres.
Total number of townships subdivided in 1876 .....	15	336, 400. 20
Total number of townships subdivided previously .....	347	7, 197, 055. 88
Total number of townships subdivided to June 30, 1877 .....	362	7, 533, 456. 08

Total amount of subdivisions in 1876 is 882 miles 78 chains and 65 links.

EDW. C. DAVID, *Surveyor General.*

SURVEYOR GENERAL'S OFFICE,  
Cheyenne, Wyo., August 10, 1877.

C.—Statement of the townships, ranges, and areas of coal lands surveyed in Wyoming Territory from June 30, 1876, to June 30, 1877, as shown on the original plats on file in this office.

	Acres.
Township 20 north, range 84 west of the sixth principal meridian .....	7, 233. 27
Township 17 north, range 104 west of the sixth principal meridian .....	3, 868. 60
Township 17 north, range 105 west of the sixth principal meridian .....	13, 452. 52
Total area of coal lands surveyed in 1876.....	24, 554. 39
Total area of coal lands surveyed previous to 1876 .....	210, 815. 49
Aggregate of coal lands surveyed to date .....	235, 369. 88

EDW. C. DAVID,  
*Surveyor General.*

SURVEYOR GENERAL'S OFFICE, Cheyenne, Wyo., August 10, 1877.

D.—Statement showing the number, title, area, and claimants of mining claims in mineral districts Nos. 1 and 2, Natrona and Earnest mining districts, Carbon County, Wyoming, surveyed by William Hardin and William B. Yerby, United States deputy mineral surveyors, \$25 being deposited on each claim for office work.

Number.	Title.	Acres.	Claimants.
37	Centennial .....	19.55	L. Shaffer, James France <i>et al.</i> , No. 2, Natrona mining district.
38	Rattlesnake .....	10.66	George R. Graff, district No. 1, Earnest mining district.
39	Savage .....	20.66	William Savage, district No. 1, Earnest mining district.
40	Copperhead .....	20.66	Edwin W. Bennett, district No. 1, Earnest mining district.
	Total .....	81.53	

EDW. C. DAVID,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE, Cheyenne, Wyo., August 10, 1877.

E.—Statement showing the description and number of township plats and descriptive lists furnished the local land offices during the fiscal year ending June 30, 1877.

[Numbering north of base line and west of sixth principal meridian.]

Townships.	Range.	No. of maps.	Date of sending.	Townships.	Range.	No. of maps.	Date of sending.
22 and 25 .....	65	2	Mar. 1, 1877	19 and 20 .....	88	2	Mar. 1, 1877
21 and 22 .....	70	2	Mar. 1, 1877	17 and 18 .....	104	2	Mar. 1, 1877
20 .....	84	1	Mar. 1, 1877	17 .....	105	1	Mar. 1, 1877
19 and 20 .....	85	2	Mar. 1, 1877				
19 and 20 .....	86	2	Mar. 1, 1877	Total .....		15	
19 .....	87	1	Mar. 1, 1877				

Also plats of mining claims numbered 37, 38, 39, and 40, in Natrona and Earnest mining districts, Carbon County, Wyoming, sent August 29 and September 6, 1876, being four plats. Total number of plats furnished and receipted for, 19.

#### DESCRIPTIVE LISTS FURNISHED.

Townships.	Range.	Number of townships.	Number of lists.	Townships.	Range.	Number of townships.	Number of lists.
23 and 24 .....	69	2	4	17 and 18 .....	112	2	4
19 and 20 .....	70	2	4	Total, (sent February 10, 1877) .....		21	42
16, 17, and 20 .....	71	3	6	22 and 25 .....	65	2	4
15 to 19, inclusive .....	72	5	10	21 and 22 .....	70	2	4
19 to 23, inclusive .....	73	5	10	20 .....	84	1	2
19 to 22, inclusive .....	74	4	8	19 and 20 .....	85	2	4
19, 20, and 21 .....	75	3	6	19 and 20 .....	86	2	4
22 .....	76	1	2	19 .....	87	1	2
18 to 21, and 23, inclusive .....	77	5	10	19 and 20 .....	88	2	4
19, 20, and 23 .....	78	3	6	17 and 18 .....	104	2	4
21, 22, and 23 .....	79	3	6	17 .....	105	1	2
22 and 23 .....	80	2	4	Total, (sent March 17, 1877) .....		15	30
21 and 22 .....	81	2	4	19 and 20 .....	112	2	4
21 and 22 .....	82	2	4	12 to 20, inclusive .....	113	9	18
21 and 22 .....	83	2	4	12 to 20, inclusive .....	114	9	18
17 and 18 .....	84	2	4	12 to 20, inclusive .....	115	9	18
18 .....	85	1	2	12 to 20, inclusive .....	116	9	18
Total, (sent September 30, 1876) .....		47	94	13 to 16, inclusive .....	117	4	8
18 and 21 .....	86	2	4	12 and 14 to 16, inclusive .....	118	4	8
18, 21, and 22 .....	87	3	6	12, 13, 15, and 16 .....	119	4	8
18, 21, and 22 .....	88	3	6	Total, (sent June 30, 1877) .....		50	100
19 .....	105	1	2				
17, 18, and 19 .....	109	3	6				
17, 18, 19, and 20 .....	110	4	8				
17, 18, and 19 .....	111	3	6				

The last mentioned 100 lists were sent to register land office at Evanston, Wyo. Total number of descriptive lists furnished and receipted for, 265.

EDW. C. DAVID, Surveyor General.

SURVEYOR GENERAL'S OFFICE,  
Cheyenne, Wyo., August 10, 1877.



F.—Statement of amounts deposited by individuals for office-work on mining claims and by the Union Pacific Railroad Company for cost of survey and office work on lands inuring to said company, showing the balances unexpended and available for the surveying service in Wyoming Territory.

Total sum of all special deposits for office work to June 30, 1877.....	\$1,062 29
Total sum expended for office work to June 30, 1877.....	251 46

Balance unexpended for office work and available to June 30, 1877	810 83....
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Total sum of deposits by the Union Pacific Railroad Company for cost of survey of lands inuring to said company to June 30, 1877.....	2,621 59
Total sum expended for surveys to June 30, 1877 .....	1,595 00

Balance unexpended for surveys and available to June 30, 1877 .....	1,026 59
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EDW. C. DAVID,  
*Surveyor General.*

SURVEYOR GENERAL'S OFFICE,  
*Cheyenne, Wyo., August 10, 1877.*

G.—Statement showing the amount paid to surveyor general and the clerks in his office during the fiscal year ending June 30, 1877.

1876.

July 31. By appropriation for compensation of surveyor general for fiscal year ending June 30, 1877.....	\$3,000 00	
July 31. By appropriation for salary of clerks for fiscal year ending June 30, 1877.....	4,000 00	
Aug. 15. By additional appropriation for salaries of clerks.....	330 16	
Aug. 15. By balance unexpended of special deposits for office work.....	810 83	
Sept. 30. To amount for first quarter ending September 30, 1876. \$1,800 00 .....		
Dec. 31. To amount for second quarter ending December 31, 1876 1,880 55 .....		
1877.		
Mar. 31. To amount for third quarter ending March 31, 1877 ....	2,150 00	
June 30. To amount for fourth quarter ending June 30, 1877 ....	1,550 00	
June 30. To balance unexpended of special deposits for office work .....	760 44	
Total .....	8,140 99	8,140 99

EDW. C. DAVID,  
*Surveyor General.*

SURVEYOR GENERAL'S OFFICE,  
*Cheyenne, Wyo., August 10, 1877.*

H.—Statement of amounts paid for rent of office, fuel, &c., during the fiscal year ending June 30, 1877.

1876.

July 31. By appropriation for rent of office, fuel, &c., for the fiscal year... \$1,500 00	
Sept. 30. To amount for first quarter ending September 30, 1876. \$257 21 .....	
Dec. 31. To amount for second quarter ending December 31, 1876 197 82 .....	
1877.	
Mar. 31. To amount for third quarter ending March 31, 1877 ....	231 98
June 30. To amount for fourth quarter ending June 30, 1877 ....	219 71
June 30. To balance reverting to United States Treasury.....	593 28
Total.....	1,500 00 1,500 00

EDW. C. DAVID,  
*Surveyor General.*

SURVEYOR GENERAL'S OFFICE,  
*Cheyenne, Wyo., August 10, 1877.*

I.—*Estimate of the appropriation required for the extension of the public surveys in Wyoming Territory during the fiscal year ending June 30, 1879.*

For extending surveys of standard lines, 288 miles, at \$10 per mile..	\$2,880	
For extending surveys of township lines, 1,248 miles, at \$7 per mile..	8,736	
For subdividing 128 townships, 7,680 miles, at \$6 per mile.....	46,080	
		\$57,696
For salary of surveyor general.....	3,000	
For salary of chief clerk.....	1,800	
For salary of principal draughtsman.....	1,500	
For salary of assistant draughtsman.....	1,400	
For salaries of two transcribing clerks.....	2,800	
For rent, fuel, stationery, messenger, and incidental expenses.....	2,500	
		13,000
Total for field and office work.....		70,696

EDW. C. DAVID,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE,  
Cheyenne, Wyo., August 10, 1877.

K.—*Statement showing the names, duties, nativity, whence appointed, residence, date of appointment, and rate of compensation per annum of persons employed in the surveyor general's office of Wyoming Territory at the close of the fiscal year ending June 30, 1877.*

Name.	Duty.	Nativity.	Whence appointed.	Residence.	Date of appointment.	Salary.
Edward C. David..	Surveyor general....	N. Hamp.	Iowa.....	Wyoming.	Aug. 23, 1875	\$3,000
Alfred L. Brown...	Chief clerk.....	Virginia..	Nebraska..	do.....	Sept. 23, 1875	1,800
William W. Smith	Transcribing clerk...	Georgia...	Iowa.....	do.....	Sept. 23, 1875	1,400

The principal and assistant draughtsman and one transcribing clerk have been discontinued on account of deficiency in the appropriation.

EDW. C. DAVID,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE,  
Cheyenne, Wyo., August 10, 1877.

L.—*Table prepared by Asa C. Dobbins, esq., observer in charge of the United States signal service office at Cheyenne, Wyo., showing the monthly mean temperature from June 30, 1876, to June 30, 1877.*

Date.	Mean barometer, corrected for temperature and elevation.	Mean temperature, 3 daily observations.	Prevailing winds, from what direction.	Total number of miles traveled by wind.	Amount of rain fall, in inches and decimals.	Number of days on which rain or snow fell.
1876.						
July.....	30.035	72.3	S.	8,486	0.79	5
August.....	30.027	66.5	N. W.	7,870	0.26	9
September.....	30.052	57.3	N.	6,455	.00	2
October.....	29.944	46.9	N. W.	8,885	.00	3
November.....	29.953	32.9	N. W.	9,340	0.32	6
December.....	29.894	23.4	N. W.	9,534	0.21	9
1877.						
January.....	29.898	25.0	W.	10,052	0.20	7
February.....	30.007	31.6	N. W.	7,059	0.14	6
March.....	29.834	35.9	W.	10,262	0.98	11
April.....	29.858	38.2	W.	9,047	1.11	15
May.....	29.824	50.8	S.	8,199	2.24	16
June.....	29.959	59.0	S.	8,540	1.27	6
Total of miles traveled by the wind.....				103,729		

EDW. C. DAVID,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE,  
Cheyenne, Wyo., August 10, 1877.

M.—Table prepared by Asa C. Dobbins, esq., observer in charge of the United States signal service office at Cheyenne, Wyo., showing the daily temperature of the months of January and February, 1877, from observations at 5 a. m., 2 p. m., and 9 p. m.

Day of month.	Temperature for January, 1877.			Day of month.	Temperature for February, 1877.		
	5 a. m.	2 p. m.	9 p. m.		5 a. m.	2 p. m.	9 p. m.
1.....	27	35	24	1.....	27	46	33
2.....	20	28	19	2.....	33	42	32
3.....	22	35	31	3.....	27	42	29
4.....	34	37	32	4.....	26	34	24
5.....	28	41	39	5.....	19	39	25
6.....	33	42	37	6.....	19	42	26
7.....	9	8	1	7.....	25	36	26
8.....	10	34	31	8.....	18	39	26
9.....	38	30	39	9.....	28	51	27
10.....	38	46	38	10.....	33	53	29
11.....	5	4	— 2	11.....	14	29	18
12.....	— 2	13	13	12.....	16	36	21
13.....	23	41	35	13.....	31	45	31
14.....	29	43	24	14.....	25	47	35
15.....	— 8	6	2	15.....	29	33	29
16.....	22	34	24	16.....	26	46	25
17.....	20	29	12	17.....	24	56	33
18.....	20	41	26	18.....	30	50	29
19.....	35	34	11	19.....	23	53	32
20.....	9	30	21	20.....	22	58	44
21.....	15	21	10	21.....	38	40	28
22.....	—10	7	— 4	22.....	24	43	29
23.....	16	32	15	23.....	25	49	32
24.....	15	40	31	24.....	26	53	33
25.....	19	40	27	25.....	26	41	27
26.....	25	38	28	26.....	25	30	29
27.....	20	45	25	27.....	27	36	32
28.....	21	44	32	28.....	24	38	30
29.....	35	48	38				
30.....	33	43	37				
31.....	37	45	37				

EDW. C. DAVID,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE,  
Cheyenne, Wyo., August 10, 1877.

N.—Statement of the number of cars of live stock shipped on the Union Pacific Railroad, in Wyoming Territory, from June 30, 1876, to June 30, 1877 as reported by W. P. Davis, esq., division superintendent.

Names of stations.	Number of cars cattle.	Number of cars horses.	Number of cars mules.	Number of cars hogs.	Whether rec'd or shipped.
Pine Bluffs.....	324				Shipped.
Cheyenne.....	38	63	13	1	Received.
Do.....	512	13	6		Shipped.
Laramie.....	94	2			Do.
Medicine Bow.....		3			Do.
Fort Steele.....			1		Do.
Do.....			1		Received.
Granger.....	119				Shipped.
Evanston.....	36	7		2	Do.
Do.....				2	Received.
Rawlins.....	60				Shipped.
Total.....	1,192	88	21	5	

EDW. C. DAVID,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE,  
Cheyenne, Wyo., August 10, 1877.

*G.—Report of the surveyor general of New Mexico.*

UNITED STATES SURVEYOR GENERAL'S OFFICE,  
*Santa Fé, New Mexico, September 10, 1877.*

SIR: In compliance with the instructions contained in your letter of the 3d of April last, I have the honor to submit, in duplicate, the annual report of the operations of this office for the year ending June 30, 1877.

This report would have been submitted at an earlier day, but press of business has necessarily delayed it beyond the desired time.

## FIELD WORK.

There have been surveyed during the year 90 miles of standard parallel, and 30 miles, 34 chains, 19 links of guide meridian, which have been returned and paid for, and 14½ miles of the fourth correction line south re-established by Deputy R. J. Reeves, the notes of which have been returned, but not being authenticated, have not been approved; also, 325 miles, 90 chains, 57 links of township exteriors; 1,659 miles, 16 chains, 20 links of subdivisional lines, and 6 miles, 26 chains, 27 links of closings on parallels in the prosecution of the public work, costing, in the aggregate, \$13,504.45, or an excess of \$4.45 over the Congressional appropriation of \$13,500 for public surveys, (see Exhibit A;) the subdivisional lines of which embrace 653,722.87 acres; which, added to the amount previously surveyed, gives a total of 7,307,157.22 acres surveyed in this district. (See Exhibit B.) In addition to the public surveys, there have been surveyed and returned since my last report 11 private land claims from the appropriation for the fiscal year ending June 30, 1876, which at date of my last report had not been returned, and 16 surveyed from the appropriation for the past fiscal year, the former aggregating 708 miles, 1 chain and 77 links of line, including connections, costing \$10,372.83, an excess of \$472.83 over contracts, and \$372.83 over the appropriation for survey of private land claims for that year, less \$18 paid out of said appropriation for expense incurred in the investigation of the survey of the town of Tecolote, grant No. 7, as per your letter of instructions of July 21, 1875. The 16 claims surveyed out of the appropriation for the fiscal year ending June 30 last, amounted to 425 miles, 60 chains, 32 links of line, including connections, as allowed by you, costing, in the aggregate, \$8,332.95 for field work, as allowed, and \$634.42 for office work, or a total of \$9,017.37. If the cost of the field work alone is chargeable to the appropriation, it would have unexpended of the \$17,000 appropriated to this district for the survey of private land claims, \$3,667.05. The aggregate area embraced in the grants surveyed during the year is 2,171,259.30 acres. (See Exhibit C.) Of the grant surveys made out of the appropriation for the past fiscal year, the Pueblo of Acoma grant, letter B; Los Trigos grant, No. 8, and Chil li grant, No. 11, were resurveys, the former surveys of same having been disapproved.

The work, with the exception of the 14 miles, 40 chains of standard line, referred to as unapproved, has all been executed in the field, returned to, examined, and completed in the office, and forwarded.

The public surveys were confined to lands embraced in the classifications made by Congress, as nearly as practicable, and in such localities as were deemed most urgent, and where the settlers had petitioned to have surveys made, yet there are numerous localities from which I have received petitions for surveys, but owing to the small appropriation it was impossible to comply with but a few of them, and I selected those which I thought would benefit the most settlers.

As predicted in my last annual report, there has been a considerable immigration to the Territory the past year, and as its advantages in climate, mineral wealth, and general resources become better known, the more rapid will be the influx of population. I have now on file numerous petitions for surveys in various sections, and there are other localities known to me by reputation, to be settled, that should be surveyed. In some sections there will be one or two townships only which could be surveyed under the classifications made by Congress, and as the settlements are in many instances isolated and remote from each other, with the reduced price per mile allowed for surveys it is difficult to induce deputies to undertake the survey of such tracts.

The act of Congress making the appropriation prescribes the classes of lands which shall be surveyable; they are first, those adapted to agriculture without artificial irrigation; second, irrigable lands, or which can be redeemed, and for which there is sufficient accessible water for the reclamation and cultivation of the same, not otherwise utilized or claimed; third, timber lands, bearing timber of commercial value; fourth, coal lands containing coal of commercial value; fifth, exterior boundaries of townships. It is utterly impossible for this office or any other to designate townships for subdivision which would be known to fall within any one of these classifications, and the character of the lands can only be determined by previous inspection, and in most

instances after the exterior township lines have been run by the deputy, and then he may discover that it would not be lawful to subdivide the township.

The settlements in this Territory are generally in the valleys on streams, and these valleys vary in width from a half mile to five and ten miles, but with few exceptions they are from one-fourth to one and two miles in width, and the country on each side hilly or mountainous, or, as is the case in many instances, there are table (or *mesa*) lands on either side, affording fine grasses, and which would be purchased for grazing purposes at private entry, but as it is unfit for agriculture on account of there being no means of irrigation, it cannot be surveyed under the law as it now stands.

One-fourth to one-half the lands of a township may fall within the classifications made by law, while the remainder will be unsurveyable thereunder, but if surveyed and subject to entry would be readily purchased as stock range for the contiguous homesteader or pre-emptor living upon arable land.

The extension of standard lines may be for some distance through arable lands, and then there will be intervening distances where the character of the lands is such that they would not be surveyable.

No allowance is made for obtaining starting points by triangulation for surveys in settlements remote from the regular lines of public surveys, and, with the large reduction in the price allowed for the same, it is impossible to get competent deputies to undertake work remote from present surveyed standard lines, unless they are allowed to extend such lines under compensation.

If the law required the surveyors general to give precedence to the survey of the settled portions of the public lands, it would, in my judgment, be a sufficient restriction, without stipulating the classes to be surveyed, as such conditions operate to embarrass the deputies in the field, and in this Territory it is almost impossible to comply strictly therewith.

Of the 121,201 square miles, or 77,568,640 acres, embraced within the boundaries of the Territory, but 11,417 square miles, or 7,307,157.22 acres, including reservations, have been surveyed.

I herewith transmit a map of the Territory, marked "D," upon which are noted all public surveys, grants, Indian and military reservations, and changes of county boundaries in this district, up to the close of the fiscal year. The map shows in blue ink the survey of grants executed during the year. It also shows one additional Indian reservation, that of the Zuni Pueblo Indians, upon the New Mexico-Arizona boundary. This reserve embraces the grant made to that Pueblo by the Spanish Government in 1689, the original grant having been filed in this office by the United States agent for the Pueblos, July 3, 1875, but not having been yet acted upon and reported by the surveyor general its existence is unknown to the department.

I believe it would be to the interest of the government if an inspection were made of all surveys by persons designated by the department, independent of the surveyors general, as it would impress the deputies with the necessity of doing thorough and complete work from fear of the possibility of losing the fruit of their labor, should their work not be perfect in all respects.

If the inspectors are appointed by the surveyor general they would be most apt to designate local surveyors who, through prejudice, might make captious objections, or from friendship might favor the deputies in their reports. Hence, in my opinion, the selection by you of disinterested persons to make the inspections would be preferable.

#### OFFICE WORK.

The field notes of all surveys made under contracts entered into previous to the close of the past fiscal year have been examined and approved by this office, and transcripts of same have in every case been forwarded to the General Land Office, and the plats thereof have been prepared and disposed of as the law and regulations require.

The current work of the office has been kept up as nearly as possible with the small clerical force employed, which is entirely inadequate, and the business is necessarily considerably in arrears, occasioned by a lack of means to employ sufficient force to dispose of same, and keep the records in proper condition. In addition to the usual work of offices of this character, Congress has imposed the investigation of private land claims originating under the Spanish and Mexican Governments prior to the acquisition of the Territory by the United States. The original title papers and documents in connection with these claims being in Spanish, their translation is imperatively necessary, and a proper record of the original and of the official translation is also essential.

The witnesses examined in the course of the investigation of these cases are almost invariably Mexicans, and their evidence must be interpreted and reduced to writing in English, and after all the testimony has been submitted the surveyor general is required to transmit three copies of all the documents in Spanish, and the same number of copies of the translation thereof, together with the evidence and all proceedings had in the case, are copied in triplicate, the whole usually making a voluminous trans-

cript. This involves a large amount of labor not known to other offices of a similar character, in the adjudication, decision, and preparation of these private land claims for the action of Congress.

Upon taking charge of this office, something over a year since, I found a portion of the work several years in arrears. The record of the private land claims acted upon is several years behind, and no descriptive lists of public surveys have been furnished to the various local land offices since 1868.

The work of the office should be brought up and kept so, and while a portion of the work in arrears has been advanced, and the current work kept up during the past year, and that with a reduced force over previous years, yet it is impossible to make much headway in getting up the old records with the limited clerical force at my disposal, and I respectfully urge the necessity for the full allowance of clerk hire asked for in my estimates for the ensuing fiscal year, believing that it is imperatively necessary for the good of the public service. After these records are once brought up, a considerable reduction in the force of the office can thereafter be made.

The return of survey of the grants now under contract to be surveyed will doubtless, as has been the case heretofore, be followed by complaints that the proper location of the natural objects forming the boundary calls were not correctly discovered, *i. e.*, the survey does not correspond to the ideas of claimants, and an investigation into the facts must follow ere the survey is approved by me. A copy of the plat in each case of a grant survey should be furnished to the local land offices, (which has not heretofore been done,) all of which will largely increase the work of this office. A good business man will not permit his work to get in arrears, and the same rule should apply to the public business, yet no matter how much a public officer may desire to keep his work up, it not unfrequently (as is the case here) becomes a matter of impossibility unless sufficient force is allowed for that purpose.

My estimates, particularly in regard to clerk hire, are based upon what I know to be the actual requirements of the public service, and I trust that Congress will realize the necessity therefor. I respectfully call attention to my remarks upon this subject in my letter of July 18 last, in connection with the estimates of this office for the fiscal year ending June 30, 1879, and also to the estimates marked Exhibit "E," herewith submitted, together with my letters of the 3d instant, asking for a deficiency appropriation for this year.

#### INCIDENTAL EXPENDITURES.

Exhibit "H" shows the condition of the appropriation for incidental expenses, which was so small that it was impossible to obtain some necessary articles for the office without exceeding the appropriation, although I exercised the utmost economy in the premises.

When I took charge of the office the government paid \$600 per annum office rent. Since October last I have reduced the rent to \$480, and re-rent a portion of the building to private parties for \$240 per annum, thereby reducing the rent paid by government to \$240 per annum, as the amount received from private parties is deposited to the credit of the appropriation for office rent, &c.

Several articles of furniture are required for the office, particularly cases for the record books and accumulating files, but the appropriation is too small to admit of their purchase.

#### PUBLIC LANDS.

As will be seen from Exhibit "B," but a small proportion of the public lands has been surveyed in this district, and while the necessity exists for the immediate survey of a large portion of what is now unsurveyed public domain, Congress does not appear to realize that fact or to appreciate the requirements of the settlers and stock-raisers. The question of securing a permanent stock range is becoming an important one to the settlers engaged in stock raising, and if that portion of the public lands which are suitable only for grazing purposes were surveyed, and could be purchased at \$1.25 per acre at private entry, the government would receive an income from their disposition, and as they are unfit for agricultural purposes they remain unproductive property to the government. Upon the table lands and plains of New Mexico there is not water sufficient for irrigation, except in isolated places and adjacent to some of the numerous springs, but all of these lands afford fine grazing for cattle and sheep, as the grasses are nutritious during the entire year, and there is no necessity for winter feeding, while there is a sufficiency of water for stock even in the driest season.

The cost of surveying these lands is less than two and one-half cents per acre, and by their survey and exposition to sale at private entry at a graduated price, or even at the minimum government price, per acre, a considerable portion of them would find ready sale. Stock raisers, looking ahead to the speedy occupation of all the agricultural lands, would avail themselves of the opportunity to purchase tracts for permanent grazing ranges. And it appears to me to be sound policy to expose all of this class of lands for sale. They must all be surveyed at some time, and as they can only be



utilized for grazing purposes, I fail to perceive the economy to the government in prohibiting their survey and thereby withholding them from market. I believe it to be to the interest of the government that all these non-agricultural lands, as well as those adapted to agriculture and immediately liable to settlement, should be surveyed, and that the former should be open to private entry. Were they owned by individuals who did not desire to engage in stock raising, it would certainly be advisable for such persons to realize on them from parties who would utilize them for grazing purposes rather than hold them as unproductive property, and the proceeds could be employed more advantageously. If this business rule holds good in case of an individual, why does it not apply with equal force in that of the government? Were they agricultural lands, or were it probable even in the remote future that they would become such, the policy of the government of reserving lands for actual settlers would afford sufficient reason for withholding them from private entry, but as they will never, in my opinion, be suitable for agricultural purposes, and can only be utilized for grazing, and stock raisers alone could legitimately invest in them and make the investment remunerative, I see no valid reason why the policy herein suggested should not be adopted in regard to the disposition of these lands. I am confident that it is the only manner in which they can ever be sold, and the government would find ready sale for them, although it might be policy to graduate them in price, say from 25 cents to \$1.25 per acre, according to quality and accessibility to water.

#### PRIVATE LAND CLAIMS.

Of these there were none filed or acted upon during the year. In my last annual report I treated the subject of private land claims at some length, advancing the suggestion that they should receive early attention on the part of Congress; that they ought speedily to be segregated from the public domain by surveyed lines, and that a limitation of time be fixed by Congress, in which claims of this character shall be filed and proven up, and I respectfully call attention to the suggestion on this subject in that report, as I am yet of the opinion that the recommendations therein made are proper and right, and should be carried out, particularly in regard to fixing a limitation upon the time for filing and prosecuting claims of this class.

All the proceedings in these cases are *ex parte* in their nature, and the government has no attorney to represent it, where the title to millions of acres of land is involved, and the surveyor general is compelled to perform the duties of attorney for the government, and judicially determine the rights of the parties. The proper place for the investigation of these titles is in the courts, or by a commission, and if the present authority is continued in the surveyor general to investigate these titles, notice of day of hearing in each case should be given, and the United States district attorney should represent the government as against the claimants. While I do not shrink from any responsibility in the matter and will endeavor to perform my duty in the premises, both to the claimants and the government, yet it is an anomalous position to occupy, that of attorney for the government and judge between it and the claimants. Provision should also be made for the payment of witnesses for the government, in order that the real facts in every case may be truthfully reached. The records of the office should be kept at one place, and hence, in the event that it is deemed advisable, I recommend that the supreme court of the Territory be the proper tribunal to investigate these claims, with the right of appeal to the Supreme Court of the United States, by either the government or claimants.

The original title papers in these cases are valuable, and should not be scattered among the several judicial districts of the Territory, but they should be securely kept at one place in the custody of the tribunal that is called to investigate the validity of the claims. The appointment of a commission would involve an additional cost of salaries for the same, also for clerks, &c., which would be avoided by constituting the supreme court of the Territory the arbiter in these cases, and while the adoption of these suggestions would add to the duties of the court, and, in a limited degree, to the expense over the present mode of adjusting these titles, yet the interests of the government would be more secure than they are at present, unless the surveyor general can have the assistance of the United States district attorney, and unless provision is made for the payment of witnesses who may be summoned on behalf of the government in the cases presented.

#### AGRICULTURE, FRUIT, AND STOCK RAISING.

In some portions of the Territory, adjacent to the mountains, fair crops are raised without irrigation, yet, as a rule, irrigation is necessary for the success of the agriculturist. The valleys are rich, and where there is sufficient water for irrigating purposes, they produce excellent crops. Grapes, plums, apples, peaches, pears, and apricots, are grown in great abundance.

The grazing range is unexcelled, and hence stock raising is principally and most successfully engaged in.

#### MINERALS.

Since my last report some very large deposits of a superior quality of mica have been discovered about seventy-five miles northwest of Santa Fé, and are now being



successfully worked. Large quantities of this mineral, in sheets from five to thirty inches square, have been taken from these mines the past summer. The veins are nearly horizontal, and are about five feet thick, the upper and foot walls being quartz. Experts who have examined the article pronounce it far superior to any mica heretofore discovered in the United States, and as they advance in on the vein the mica improves both in size and quality.

The gold, silver, copper, and lead mines of the Territory have been operated the past year with somewhat renewed energy, and the result has been an increase in the amount of bullion produced. Grant County alone has produced, as estimated, \$50,000 in gold, \$476,000 in silver, and 2,000,000 pounds of copper, the past year.

The yield of gold, silver, copper and lead in this Territory for the past year, estimating from reliable data, has been about as follows:

Counties.	Gold.	Silver.	Pounds of copper.	Pounds of lead.
Colfax .....	\$200,000 00	.....	.....	.....
Santa Fé .....	20,000 00	.....	10,000	.....
Socorro .....	4,000 00	\$20,000 00	.....	800,000
Lincoln .....	30,000 00	.....	.....	.....
Grant .....	50,000 00	476,000 00	2,000,000	50,000
Total .....	304,000 00	496,000 00	2,010,000	850,000

The gold has been principally obtained from the placer mines in the several counties, and none of the mines have been worked to more than one-tenth their capacity, except possibly one or two of the silver mines in Grant County. Rich placer gold diggings and some very rich silver and copper lodes have been discovered, adjacent to and in the Sierra Blanca or White Mountains, immediately west of Fort Stanton, in Lincoln County. The placer gold diggings in the Territory are rich, but owing to the extreme scarcity of water cannot be worked except during the rainy season of July and August, and during the winter, when melted snow affords facilities for washing the dirt.

What is known as the "Ginn dry washer" has been pretty thoroughly tried in the separation of the gold from the sand and clay, but so far it has been unsuccessful, although I believe that the machine will, at no distant day, be improved upon, and a moderate success attained. The introduction of railroads, and the consequent influx of capital, will largely increase the mining operations in the territory, and will develop one of the richest mineral regions in the United States.

There was but one mining claim reported as surveyed during the year, and one filed under the act approved March 3, 1877, for sale of desert lands in certain States, &c.

A list of mineral deputy surveyors appointed under act May 10, 1872, is herewith submitted, marked "F."

For a statement of the expenditures for salaries and incidentals, and the condition of the several appropriations for this district for the fiscal year ending June 30, 1877, I respectfully call attention to exhibits marked respectively "G," "H" and "I."

#### CLIMATE.

The climate of New Mexico is unsurpassed for its salubrity. The winters are mild and the summers not excessively warm.

Through the courtesy of Lieut. S. C. Vedder, of the United States Signal Service, I learn that the mean maximum temperature at Santa Fé for the year ending June 30 last was 61°·6; mean minimum temperature for same period was 36°·4; mean average for the year, 49°; mean average humidity for same period, 51·8 per cent.

#### ACCOMPANYING EXHIBITS.

- A.—Statement of executed surveys and their cost.
- B.—List of surveyed townships and contents in acres.
- C.—List of private land claims surveyed during the fiscal year ending June 30, 1877.
- D.—General map of New Mexico, showing surveys of public lands and private land claims.
- E.—Estimates for the ensuing fiscal year.
- F.—List of mineral deputy surveyors.
- G.—Expenditures on account of salaries.
- H.—Expenditures for incidental purposes.
- I.—Statement showing condition of the several appropriations for New Mexico for the fiscal year ending June 30, 1877.

Very respectfully, your obedient servant,

HENRY M. ATKINSON,  
Surveyor General.

Hon. J. A. WILLIAMSON,  
Commissioner of the General Land Office.

## A.--Statement of public surveys made in the district of New Mexico during the fiscal year ending June 30, 1877.

Contract.		Contractors.	Character of survey.	Townships.	Ranges.	Surveyed.	Rate.	Cost.
No.	Date.							
70	Sept. 27, 1876	William H. McBroom	Fourth correction line south		6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 E.	m. c. l.		
70	do.	do.	First guide meridian east	16, 17, 18, 19, 20 S.	20 and 21 E.	90 00 00	\$10	
70	do.	do.	Closing on parallel	16 S.	20 and 21 E.	30 34 19		
70	do.	do.	Exterior	6 and 7 S.	10 and 11 E.	0 25 65		
70	do.	do.	do.	7 and 8 S.	10 and 11 E.	8 03 70		
70	do.	do.	do.	8 and 9 S.	9 and 10 E.	11 56 60		
70	do.	do.	do.	9 and 10 S.	9 and 10 E.	11 79 00		
70	do.	do.	do.	11 and 12 S.	10 E.	11 78 90		
70	do.	do.	do.	16 and 17 S.	16, 17, 18, 19, 20 E.	6 00 00		
70	do.	do.	do.	17 and 18 S.	17, 18, 19, 20 E.	29 71 76		
70	do.	do.	do.	8, 9, 10 S.	8 and 9 E.	23 74 72		
70	do.	do.	do.	8, 9, 10, 11 S.	9 and 10 E.	13 40 00		
70	do.	do.	do.	7, 8, 9, 10, 11 S.	10 and 11 E.	23 38 00	7	
70	do.	do.	do.	16 and 17 S.	18 and 19 E.	30 02 00		
70	do.	do.	do.	16 and 17 S.	17 and 18 E.	6 00 00		
70	do.	do.	do.	16 and 17 S.	16 and 17 E.	12 31 96		
70	do.	do.	do.	16 S.	15 and 16 E.	12 30 56		
70	do.	do.	Closings on parallels			12 28 12		
70	do.	do.	Subdivisional	7 S.	10 E.	12 30 20		
70	do.	do.	do.	7 S.	10 E.	6 28 18		
70	do.	do.	do.	7 S.	10 E.	1 47 95		
70	do.	do.	do.	7 S.	10 E.	44 09 76		
70	do.	do.	do.	7 S.	10 E.	59 79 38		
70	do.	do.	do.	8 S.	10 E.	60 01 01		
70	do.	do.	do.	9 S.	9 E.	59 76 56		
70	do.	do.	do.	9 S.	10 E.	59 77 76		
70	do.	do.	do.	10 S.	10 E.	59 79 25		
70	do.	do.	do.	11 S.	10 E.	60 03 20	6	
70	do.	do.	do.	16 S.	16 E.	37 63 06		
70	do.	do.	do.	16 S.	17 E.	61 79 49		
70	do.	do.	do.	17 S.	17 E.	59 74 93		
70	do.	do.	do.	17 S.	18 E.	59 77 88		
70	do.	do.	Closings on parallels			3 12 74		
71	Sept. 28, 1876	Rollin J. Reeves	Exterior	21 and 22 S.	10, 11, 12, 13 W.	23 79 42		
71	do.	do.	do.	22 and 23 S.	10, 11, 12, 13 W.	23 76 00		
71	do.	do.	do.	21 and 22 S.	10 and 11 W.	12 07 90		
71	do.	do.	do.	21 and 22 S.	11 and 12 W.	12 06 70		
71	do.	do.	do.	21 and 22 S.	12 and 13 W.	12 06 85		
71	do.	do.	Closings on parallel			0 35 97		
71	do.	do.	Re-establishing exterior	18 and 19 S.	13 W.	1 00 00		
71	do.	do.	do.	19 and 20 S.	12 W.	1 00 00		
71	do.	do.	do.	19 and 20 S.	13 W.	1 00 00		

\$6,604 45

71	do.	do.	do	17 S.	10 and 11 W.	3 40 00	}	6,900 20
71	do.	do.	do	19 S.	13 and 14 W.	1 00 00		
71	do.	do.	do	22 S.	14 and 15 W.	2 00 00		
71	do.	do.	Subdivisional	16 S.	11 W.	4 00 00		
71	do.	do.	do	17 S.	11 W.	19 41 25	}	6
71	do.	do.	do	19 S.	12 and 13 W.	109 58 58		
71	do.	do.	do	20 S.	12 W.	60 44 13		
71	do.	do.	do	21 S.	10, 11, 12, 13, and 14 W.	302 05 27		
71	do.	do.	do	22 S.	10, 11, 12, 13, and 14 W.	299 33 70	}	6
71	do.	do.	do	23 S.	15 W.	60 00 67		
71	do.	do.	do	24 S.	15 and 16 W.	120 03 91		
71	do.	do.	do	25 S.	15 W.	60 06 41		
71	do.	do.	Closings on parallel.			0 63 96	}	13,504 65
						2,112 07 23		

SURVEYOR GENERAL'S OFFICE,  
Santa Fe, N. Mex., September 10, 1877.

HENRY M. ATKINSON,  
Surveyor General.

B.—Subdivisions. List of surveyed townships, and contents thereof in acres, in the district of New Mexico, at the close of the fiscal year ending June 30, 1877.

Whole number subdivided.	Township.	Range.	Private claims embraced.	Reservations embraced.	Township area	Plat sent to register—	Remarks.
			360, 015. 45	13, 960. 00	6, 653, 434. 35		Totals, June 30, 1876.
311	28 north..	20 east..	.....	.....	22, 750. 59	Sept. 20, 1876	
312	7 south..	10 east..	.....	.....	13, 592. 73	June 1, 1877	
313	7 south..	11 east..	.....	.....	23, 046. 34	do .....	
314	8 south..	10 east..	.....	.....	23, 095. 81	do .....	
315	9 south..	9 east..	.....	.....	23, 011. 94	do .....	
316	9 south..	10 east..	.....	.....	23, 041. 66	do .....	
317	10 south..	10 east..	.....	.....	23, 036. 58	do .....	
318	11 south..	10 east..	.....	.....	23, 080. 72	do .....	
319	16 south..	11 west..	.....	.....	649. 00	June 20, 1877	
320	16 south..	16 east..	.....	.....	14, 160. 16	June 1, 1877	
321	16 south..	17 east..	.....	.....	24, 538. 87	do .....	
322	17 south..	11 west..	.....	.....	6, 677. 20	June 20, 1877	
323	17 south..	17 east..	.....	.....	22, 972. 54	June 1, 1877	
324	17 south..	18 east..	.....	.....	22, 994. 77	do .....	
325	19 south..	12 west..	.....	.....	16, 726. 13	June 20, 1877	
326	19 south..	13 west..	.....	.....	23, 263. 20	do .....	
327	20 south..	12 west..	.....	.....	23, 339. 12	do .....	
328	21 south..	10 west..	.....	.....	23, 284. 84	do .....	
329	21 south..	11 west..	.....	.....	23, 368. 86	do .....	
330	21 south..	12 west..	.....	.....	23, 463. 59	do .....	
331	21 south..	13 west..	.....	.....	23, 217. 23	do .....	
332	21 south..	14 west..	.....	.....	23, 304. 10	do .....	
333	22 south..	10 west..	.....	.....	23, 034. 64	do .....	
334	22 south..	11 west..	.....	.....	22, 934. 32	do .....	
335	22 south..	12 west..	.....	.....	23, 066. 08	do .....	
336	22 south..	13 west..	.....	.....	22, 857. 03	do .....	
337	22 south..	14 west..	.....	.....	23, 021. 13	do .....	
338	23 south..	15 west..	.....	.....	23, 037. 24	do .....	
339	24 south..	15 west..	.....	.....	23, 099. 28	do .....	
340	24 south..	16 west..	.....	.....	23, 043. 00	do .....	
341	25 south..	15 west..	.....	.....	23, 109. 17	do .....	
			.....	.....	7, 307, 157. 22	.....	Totals, for June 30, 1877.

HENRY M. ATKINSON,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE,  
Santa Fe, N. Mex., September 10, 1877.

C.—Private land claims surveyed in the district of New Mexico during the fiscal year ending June 30, 1877.

Contract.		Claim surveyed.		Surveyed by—	Cost of survey.			Acres.	Remarks.
No.	Date.	No.	Name.		Field-work.	Office-work.	Total.		
68	Apr. 15, 1876	1	Baca location, No. 1 .....	Sawyer & McBroom				99, 289. 27	Surveyed under act of Mar. 3, 1875.
68	Apr. 15, 1876	3	Tierra Amarilla .....	do				594, 515. 55	
68	Apr. 15, 1876	9	John Scully et al. ....	do				108, 507. 64	
68	Apr. 15, 1876	18	Alexander Valle .....	do				574. 34	
68	Apr. 15, 1876	25	Cañon de San Diego .....	do				116, 286. 89	
68	Apr. 15, 1876	27	Las Trampas .....	do				46, 461. 22	
68	Apr. 15, 1876	28	Sebastian Martin .....	do				51, 387. 80	
68	Apr. 15, 1876	42	Antonio Ortiz .....	do				163, 921. 68	
68	Apr. 15, 1876	44	Ojo del Espiritu Santo. ....	do				127, 875. 86	
68	Apr. 15, 1876	46	Cebolleta .....	do				200, 848. 25	
68	Apr. 15, 1876	T	Santa Ana Indian Pueblo .....	do				17, 360. 56	Surveyed under act of July 31, 1876.
71	Sept. 28, 1876	64	Mesita de Juana Lopez .....	Rollin J. Reeves	\$662 65	\$41 66	\$704 31	42, 022. 85	
72	Dec. 14, 1876	5	Casa Colorada .....	Sawyer & McElroy	962 81	41 20	1, 004 01	131, 779. 37	
72	Dec. 14, 1876	8	Los Trigos .....	do	292 80	41 20	334 00	9, 646. 56	
72	Dec. 14, 1876	11	Chilili .....	do	494 62	41 20	535 82	23, 626. 22	
72	Dec. 14, 1876	12	Agua Negra .....	do	376 98	32 96	409 94	17, 361. 11	
72	Dec. 14, 1876	21	Tajique .....	do	269 79	32 96	302 75	7, 185. 55	
72	Dec. 14, 1876	22	Torreón .....	do	262 48	32 96	295 44	14, 146. 11	
72	Dec. 14, 1876	23	Manzano .....	do	387 27	49 45	436 72	17, 360. 97	
72	Dec. 14, 1876	24	San Isidro .....	do	449 24	41 20	490 44	11, 476. 68	
72	Dec. 14, 1876	30	Laguna tracts .....	do	1, 502 17	82 41	1, 584 58	101, 510. 78	
72	Dec. 14, 1876	31	Gaspar Ortiz .....	do	45 40	24 72	70 12	57. 18	
72	Dec. 14, 1876	36	Chamita .....	do	148 50	32 96	181 46	1, 636. 29	
72	Dec. 14, 1876	37	Tejon .....	do	304 11	41 20	345 31	12, 801. 46	
72	Dec. 14, 1876	38	Ramon Vigil .....	do	548 89	41 20	590 09	31, 802. 92	
72	Dec. 14, 1876	47	Antoine Leroux .....	do	983 51	57 69	1, 041 20	126, 024. 53	
72	Dec. 14, 1876	B	Acoma Indian Pueblo .....	do	641 73	49 45	691 18	95, 791. 66	
					8, 332 95	684 42	9, 017 37	2, 171, 259. 30	

SURVEYOR-GENERAL'S OFFICE,  
Santa Fé, New Mex., September 10, 1877.

HENRY M. ATKINSON,  
Surveyor General.

*E.—Estimates of appropriations required for the surveying service in New Mexico for the fiscal year ending June 30, 1879.*

Object of appropriation.	Amount.	Total.
ON SALARY ACCOUNT.		
Compensation of surveyor general .....	\$3,000	\$14,000
Compensation of translator and chief clerk .....	2,000	
Compensation of two draughtsmen .....	3,000	
Compensation of four clerks .....	6,000	
ON SURVEYING ACCOUNT.		
Survey of base, meridian, standard, and township exterior and subdivisinal lines ..	60,000	100,000
Confirmed and unconfirmed private land claims which have been favorably reported for Congressional action .....	40,000	
ON CONTINGENT EXPENSE ACCOUNT.		
Fire proof safe, for keeping grant title papers, and office furniture .....	2,500	4,500
Stationery, messenger, and other necessary expenses .....	2,000	
Total .....	118,500	118,500

SURVEYOR GENERAL'S OFFICE,  
*Santa Fé, N. Mex., September 10, 1877.*

HENRY M. ATKINSON,  
*Surveyor General.*

*F.—Mineral deputy surveyors in commission under the mining act of May 10, 1872, in the district of New Mexico on June 30, 1877.*

Name.	Residence.	Commissioned.
William McMullen .....	Santa Fé, Santa Fé County .....	October 3, 1872.
J. Howe Watts .....	do .....	October 18, 1872.
George Way .....	Socorro, Socorro County .....	December 27, 1872.
Lewis Kingman .....	Santa Fé, Santa Fé County .....	March 8, 1873.
A. D. Thorne .....	Lemitar, Socorro County .....	April 19, 1873.
Walter G. Marmon .....	Laguna, Bernalillo County .....	April 22, 1873.
Robert G. Marmon .....	do .....	April 23, 1873.
Chandler Robbins .....	Santa Fé, Santa Fé County .....	June 10, 1875.
Robert M. Jones .....	Fort Wingate, Valencia County .....	May 6, 1876.
William H. Bradley .....	Santa Fé, Santa Fé County .....	May 12, 1876.
William H. McBroom .....	do .....	April 24, 1877.
Charles Ackley .....	Silver City, Grant County .....	May 2, 1877.

SURVEYOR GENERAL'S OFFICE,  
*Santa Fé, N. Mex., September 10, 1877.*

HENRY M. ATKINSON,  
*Surveyor General.*

G.—Statement of expenditures for salaries in the office of surveyor general of New Mexico during the fiscal year ending June 30, 1877.

Fiscal quarter.	Name.	Position.	Salary.	Time.		Amount.
				From—	To—	
First.....	Henry M. Atkinson...	Surveyor general .....	\$3,000	July 1	Sept. 30	\$750 00
First.....	David J. Miller .....	Translator and chief clerk..	2,000	July 1	Sept. 30	500 00
First.....	Will M. Tipton .....	Draughtsman .....	1,500	July 1	Sept. 30	375 00
First.....	James M. Irwin .....	Clerk .....	1,500	July 1	Sept. 30	375 00
First.....	Amado Chaves .....	do .....	1,500	July 1	July 31	126 35
First.....	Tranquillino Labadie .....	do .....	1,500	Aug. 1	Sept. 30	248 64
Second.....	Henry M. Atkinson...	Surveyor general .....	3,000	Oct. 1	Dec. 31	750 00
Second.....	David J. Miller .....	Translator and chief clerk..	2,000	Oct. 1	Dec. 31	500 00
Second.....	Will M. Tipton .....	Draughtsman .....	1,500	Oct. 1	Dec. 31	375 00
Second.....	James M. Irwin .....	Clerk .....	1,500	Oct. 23	Oct. 31	36 68
Second.....	A. Z. Huggins .....	Draughtsman .....	1,500	Oct. 27	Dec. 5	154 89
Second.....	Edward H. Wilton .....	do .....	1,500	Nov. 19	Nov. 30	48 91
Third.....	Henry M. Atkinson...	Surveyor general .....	3,000	Jan. 1	Mar. 31	750 00
Third.....	David J. Miller .....	Translator and chief clerk ..	2,000	Jan. 1	Mar. 31	500 00
Third.....	Will M. Tipton .....	Draughtsman .....	1,500	Jan. 1	Mar. 31	375 00
Third.....	A. Z. Huggins .....	do .....	1,500	Feb. 1	Mar. 21	204 16
Fourth.....	Henry M. Atkinson...	Surveyor general .....	3,000	Apr. 1	June 30	750 00
Fourth.....	David J. Miller .....	Translator and chief clerk ..	2,000	Apr. 1	June 30	500 00
Fourth.....	Will M. Tipton .....	Draughtsman .....	1,500	Apr. 1	June 30	375 00
Fourth.....	James M. Irwin .....	Clerk .....	1,500	Apr. 1	June 30	375 00
Fourth.....	Charles H. Fitch .....	do .....	1,500	Apr. 1	Apr. 13	53 57
Fourth.....	George J. Dinkle .....	do .....	1,500	Apr. 1	Apr. 14	57 69
Fourth.....	Richard E. Pegram .....	do .....	1,500	Apr. 1	Apr. 21	86 53
Fourth.....	William White .....	Draughtsman .....	1,500	Apr. 1	May 20	181 31
Fourth.....	John Grant .....	Clerk .....	1,500	Apr. 2	Apr. 12	45 32
Fourth.....	Robert G. Mannon .....	Draughtsman .....	1,500	Apr. 5	May 2	115 38
Fourth.....	Amado Chaves .....	Clerk .....	1,500	Apr. 10	June 19	290 52
Total .....						8,809 95

SURVEYOR GENERAL'S OFFICE,  
Santa Fé, N. Mex., September 10, 1877.

HENRY M. ATKINSON,  
Surveyor General.

H.—Statement of incidental expenditures in the office of surveyor general of New Mexico during the fiscal year ending June 30, 1877.

Fiscal quarter.	Name.	Consideration.	Time.		Amount.	Vouchers.
			From—	To—		
First.....	Telésforo Jaramillo .....	Rent of office .....	July 1	Sept. 30	\$150 00	
First.....	John Ludwig .....	Messenger's services .....	July 1	Sept. 30	90 00	
First.....	Seligman Brothers .....	Fire-wood .....			200 00	
First.....	H. M. Atkinson .....	Sundries .....			136 80	1, 2, 3, 4, 5, 6.
Second.....	Telésforo Jaramillo .....	Rent of office .....	Oct. 1	Dec. 31	120 00	
Second.....	John Ludwig .....	Messenger's services .....	Oct. 1	Dec. 31	90 00	
Second.....	H. M. Atkinson .....	Sundries .....			99 45	3, 4, 5, 6.
Third.....	Telésforo Jaramillo .....	Rent of office .....	Jan. 1	Mar. 31	120 00	
Third.....	John Ludwig .....	Messenger's services .....	Jan. 1	Mar. 31	90 00	
Third.....	W. and L. E. Gurley .....	Repairing compass, &c. ....			68 85	
Third.....	H. D. Hathaway .....	Blank books .....			70 50	
Third.....	D. McClelland .....	Township plats .....			25 00	
Third.....	H. M. Atkinson .....	Sundries .....			115 20	1, 2, 3, 4, 5, 6, 7, 8.
Fourth.....	Telésforo Jaramillo .....	Rent of office .....	Apr. 1	June 30	120 00	
Fourth.....	John Ludwig .....	Messenger's services .....	Apr. 1	June 30	90 00	
Fourth.....	H. M. Atkinson .....	Sundries .....			91 30	1, 2, 3, 4, 5.
Total .....					1,677 10	
Congressional appropriation of August 15, 1876 .....					1,500 00	
Receipts from subrent of part of office building .....					177 33	
Total .....					1,677 33	
Expenditures as above .....					1,677 10	
Reverting to the Treasury .....					23	

SURVEYOR GENERAL'S OFFICE,  
Santa Fé, N. Mex., September 10, 1877.

HENRY M. ATKINSON,  
Surveyor General.



I.—Statement showing the condition of the several appropriations for the surveying service in New Mexico at the close of the fiscal year ending June 30, 1877.

Appropriation for—	Amount.	Expended.	Reverting.
Survey of the public lands, act of July 31, 1876 .....	\$13,500 00	\$13,500 00	.....
Survey of confirmed private land claims, act of July 31, 1876 .....	17,000 00	8,332 95	\$8,667 05
Compensation of surveyor general, act of August 15, 1876 .....	3,000 00	3,000 00	.....
Compensation of clerks, act of August 15, 1876 .....	\$4,500 00 }		
Compensation of clerks, act of March 3, 1877 .....	1,400 00 }	5,900 00	5,899 95
Office rent, stationery, messenger, &c., act of July 31, 1876 .....	1,500 00 }		05
Receipts from subrenting of part of office building....	177 33 }	1,677 33	1,677 10
			23

SURVEYOR GENERAL'S OFFICE,  
Santa Fe, N. Mex., September 10, 1877.

HENRY M. ATKINSON,  
Surveyor General.

H.—Report of the surveyor general of Colorado.

SURVEYOR-GENERAL'S OFFICE,  
Denver, Colo., 1877.

SIR: In compliance with instructions contained in your letter of the 3d day of April, 1877, I have the honor herewith to submit my annual report, in duplicate, of the surveying service in Colorado for the fiscal year ending June 30, 1877, together with map showing the progress of surveys, and the usual tabular statements, as follows:

A.—Statement of surveys made under the regular appropriation, and the accounts of the several deputies.

B.—Statement of surveys under acts of May 30, 1862, and March 3, 1871, and the accounts of the several deputies and depositors.

C.—Statement showing number of townships surveyed during the year, and the area of public land in the same.

D.—Statement of mining claims surveyed during the year, together with the amount deposited for office expenses for same.

E.—Statement showing amount of salaries paid surveyor general and clerks in his office for the year.

F.—Statement of amount expended for rent, books, stationery, and other incidentals.

The regular appropriation for surveys for the past year was expended principally in the southern and southwestern part of the State, on the headwaters of the Gunnison, Del Norte, and Las Animas Rivers.

A portion was distributed through the mountain parks and valleys, but as the appropriation for surveys was but \$20,000, not one-quarter of the surveys were made that have been petitioned for by actual settlers.

There are not less than one hundred townships in the State, containing *bona fide* settlers, who have occupied their claims from one to five years, which townships should be surveyed.

In a number of cases special deposits have been made by settlers for survey of their townships, but as the grasshoppers have taken a large portion of the crops for the past three years farmers have not been in financial condition to advance money for surveys.

The rich mining country in the southwestern part of the State has attracted not only miners but large numbers of farmers, who have settled upon the Gunnison, Uncompahgre, Rio Dolores, Animas, and other streams, and are crowding upon the Ute Indian reservation.

In my opinion this reservation should be reduced in extent, and if the Indians can be transferred to some less settled part of the country it should be abandoned, for the reason that it withholds from market the rich valleys of the above-named streams and their tributaries, and retards civilization.

The whites are driven from the reservation, and are not allowed to mine or farm any portion of it, while the Indians are permitted to occupy it or roam over other parts of the State at pleasure. If the reservation cannot be abandoned it would be of great benefit to the southwest portion of the State if it could be reduced in extent by making the 39th degree of latitude the south boundary. This would open up some of the finest agricultural and timbered lands in the State, and materially assist in de-

veloping the rich minerals of the San Juan country. I hope Congress may be induced to take some action in this matter during the next session.

The agricultural interests of the State are in a more prosperous condition than they have been in for several years.

From every quarter reports agree that the season has been unusually propitious, and the statistics of this year's crop will show a greater production than in any previous year of the history of the State, and the consequences will be felt in the impulse given to every department of our industries.

The grasshoppers have not yet (August) visited us, and it is not probable that they will. The wheat and all small grain is already harvested and out of their reach, and they could not do much damage if they should put in an appearance.

Wheat this year will average fully 30 bushels to the acre. One farmer who sowed 400 acres, from which he gathered 12,000 bushels, receives \$1.50 per bushel, realizing the snug sum of \$18,000; his expenses were not over \$6,000, leaving a net profit of \$12,000.

Another farmer, whose average was over 30 bushels to the acre, had one small field of five acres which yielded an average of 81½ bushels.

We have been compelled to import some wheat each year for the past three years, but this year it is estimated by good judges that we shall export over 200,000 bushels.

Railroad building has progressed with unusual activity during the past year. Over seventy miles of railroad having been graded, ironed, and equipped.

The Denver and Rio Grande (narrow gauge) Road has extended its line from Cucharis across the Sangre-de-Christo range of mountains to Garland, on the eastern edge of San Luis Park, a distance of fifty-one miles; thence it debouches in the valley of the Del Norte. It passes through some of the wildest and grandest scenery of the Rocky Mountains, and in crossing the "range," reaches the elevation of 9,339 feet above the sea, being the highest point reached by any railroad in North America. This road furnishes the cheapest and best route to the San Juan mines, and is doing an immense business.

The Colorado Central (narrow gauge) has completed its line to Georgetown, a distance of twenty miles from Floyd Hill, the former terminus, and is now grading its line (broad gauge) from Longmont, Colo., to Cheyenne, Wyo., a distance of sixty miles, making a continuous broad gauge from the Union Pacific Railroad to Denver. They have already eighteen miles ironed, and expect to have the entire line completed within sixty days. This will give us four distinct outlets east.

The South Park and Pacific Road, which has been in successful operation from Denver to Morrison, sixteen miles, for two years, has during the year graded about forty miles of road bed through the Platte Cañon, and expects to have this distance ironed and equipped by the 1st of January next.

These several roads have been built and are building without aid either of money or land from the government, and the last named is built and building (with the exception of the iron and rolling stock) entirely with home capital.

By the executive order of the President, dated March 2, 1877, the action of the register and receiver of the land-office at Pueblo, awarding lands to claimants upon the Vigil and Saint Vrain grant, was confirmed, and the claimants will receive title to their claims, and the remainder of the grant be open to pre-emption and homestead. It is certainly a matter of congratulation to the people who have lived many years upon this land in so much doubt as to the title to their homes that the matter is virtually settled. The unsettled condition of the title of these lands has materially retarded settlement in this portion of the State, as but few settlers were willing to settle upon lands the title to which was in question, and those who did settle did not feel warranted in making substantial improvements.

The mineral resources of Colorado are too well known to need any commendation from me, and I will only say that they are in a flourishing and paying condition.

In addition to the well known coal fields of Cañon City, Trinidad, Boulder, and Golden City, large beds of the best bituminous coal are found in the west part of the State, on Bear River and on the head waters of the Gunnison. It is also reported that a fine quality of anthracite coal is found on the border and within the Indian reservation. Large quantities of iron-ore are found in many places, and the iron and coal interests of the State are destined to be of immense value.

The reduced compensation per mile for surveying has already caused some embarrassment to this office, and there are numbers of townships situated in the mountains, and containing many actual settlers, which can never be surveyed at the price now allowed by law.

On the 27th of April last, George L. Scott and others made a deposit upon the usual estimate for survey of township 37 north, range 9 west, and I have been unable to find a deputy who will undertake the work for the price.

Large quantities of land in this township would be taken by settlers for its timber and agricultural land, and they are anxious to procure title, so that they may make permanent improvements.

The greater part of the land yet to be surveyed in the State is mountainous and very difficult to survey, and in my opinion the price should not be less than that submitted with my estimates for the coming year.

I would respectfully call your attention to the necessity of providing for the early survey of the timbered lands of the State. In no other way can the timber be protected from great waste.

The pioneer settler, who foregoes the comforts of civilization to build new towns and settlements on the frontier, must have timber; saw-mills must be brought in to saw it for him; wood must be cut to keep himself and family from the cold; and in the mining region large quantities must be used to timber mines and smelt the ores.

During my residence of eighteen years in Colorado, many prosecutions have been commenced against parties for committing depredations upon government timber, and but few convictions have been secured; for in some cases the very judge and jury sitting in the cause were at the time being kept warm by fires made of wood cut from government land, and it is almost impossible to secure a conviction.

If the lands were surveyed and sold, they would soon be in the hands of a large number of persons, whose interest would be to see that marauders were kept off, and they would also protect the timber from the destructive fires which destroy large quantities every year. The government would then realize the full value of the land.

#### For incidentals:

For rent, fuel, stationery, messenger, furniture, and other incidental expenses .....	\$3,000 00
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#### For surveys:

Survey of 600 miles of standard lines, at \$16 .....	9,600 00
Survey of 3,000 miles of exterior township lines, at \$14 .....	42,000 00
Survey of 8,400 miles of subdivisinal lines, at \$10 .....	84,000 00
	135,600 00
For survey of west boundary of Colorado, 280 miles, at \$70 per mile .....	19,600 00

The above estimate has been carefully prepared with a view to the actual necessities of the service.

The appropriation for clerks in this office has been for the past two years wholly inadequate, as the arrears of office work detailed hereafter will show. I am at a loss to know how to do the office work incident to the appropriation of \$35,000 for the present fiscal year with but \$3,000 for clerks. This amount is not sufficient to pay chief clerk and one draughtsman, and it will be absolutely necessary to have at least one transcribing clerk; and to do the work properly and bring up arrears I should have an assistant draughtsman and two transcribing clerks.

In my opinion it is mistaken policy to allow the records of the office to get so far in arrears, as the time lost in hunting through records not properly indexed or filed will overbalance the expense of keeping them in order.

The amount estimated for incidental expenses will be required, in my opinion, to pay rent, messenger, stationery, &c. The increasing number of mining claims, as well as the regular appropriation for surveys, requires large quantities of drawing paper, instruments, transcript paper, and other expenses incident to the work.

The office is greatly in need of new and additional furniture. Some of the furniture has been in use sixteen years, and is necessarily in bad condition.

The estimate for surveys is not in excess of what will be actually necessary to accommodate *bona fide* settlers, State selections, and furnish a basis upon which miners may definitely locate their mining claims.

Under the act of Congress admitting Colorado as a State, over 350,000 acres of land are yet to be selected for State purposes, and the governor and commissioners, whose duty it is to make selections, are anxious that additional surveys be made, that they may be able to select lands soon after survey and before the best lands are taken.

The survey of the west boundary of the State should be made at an early day, in order that the lines of survey may be closed thereon, to segregate the lands of the State from those of Utah, and to enable settlers to apply at the proper land office to enter their lands.

The surveys which I propose to make are principally as follows, viz: Extend the second correction line northwest into the North Park, and run exterior and section lines, taking in settlements on the Big Laramie and Platte Rivers; survey the eleventh and twelfth guide meridian from the first correction line north, north to the north boundary; extend the first correction line northwest to the west boundary; survey the second correction line north from the eleventh guide meridian, east to mountains and west to west boundary of the State; survey exterior and section lines to include settlements on the Tumpah, Little Snake, and other streams.

The base line, first, second, and third correction lines south, should be extended west

to the Indian reservation, and such exterior and subdivisional lines run as actual settlers require.

The ninth, tenth, and eleventh correction lines north (New Mexico meridian) should be extended west to the Indian reservation; the first guide west should be run north to the reservation, and exterior and subdivisional lines should be run to include settlements on the Rio Dolores, San Miguel, Uncompahgre, the headwaters of the Gunnison, Rio Grande, Rio Conejos, Rio San Juan, including the Pagosa springs.

I believe it is economy for Congress to make liberal appropriations for our new and prosperous State, and the past has proven that it has been a paying investment. By examining the reports for the past five years, I find that the amount of land disposed of by the United States in Colorado by pre-emption, homestead, &c., at regular government prices, is four times the amount appropriated for surveys during the same period, and the amount disposed of for cash and land warrants is more than double the amount appropriated for surveys during the same period.

In further reply to your letter, I have the honor to report arrears of office work as follows, viz: The descriptive lists of townships surveyed, which should have been sent to the local land offices with the triplicate plats, have not been prepared or transmitted for the past four years. A part of the field notes and plats of surveys for 1875, and all of those for 1876 and 1877, have not been arranged, bound, or indexed. The letters, records, and papers belonging to the office should all be overhauled and arranged in such a manner that reference can be readily made to the past business of the office.

Very respectfully, your obedient servant,

WM. L. CAMPBELL,  
Surveyor General of Colorado.

*A.—Statement of surveys made under the regular appropriation, and accounts of the several deputies, for the year ending June 30, 1877.*

1876.			1876.		
Nov. 28	Beverly Tompkins .....	\$722 38	July 1	By appropriation .....	\$20,000 00
Dec. 2	Edwin H. Kellogg .....	718 92		By excess .....	104 30
14	Daniel C. Oakes .....	2,859 96			
15	Newell Colby .....	333 34			
19					
1877.	Albert W. Brewster .....	360 83			
Jan. 9	John K. Ashley .....	1,441 77			
24	Daniel C. Oakes .....	1,081 61			
27	Abraham F. Overholt .....	432 80			
Feb. 9	George D. Nickel .....	480 00			
Mar. 3	Edwin H. Kellogg .....	2,383 09			
5	George D. Nickel .....	1,137 18			
13	Jason S. Fahringer .....	392 56			
16	Albert W. Brewster .....	361 87			
26	John M. Odenheimer .....	385 62			
Apr. 24	Jason S. Fahringer .....	2,258 45			
June 20	Albinus Z. Sheldon .....	993 09			
25	Albert W. Brewster .....	359 23			
July 9	do .....	444 18			
Aug. 7	George D. Nickel .....	1,208 40			
15	Edwin H. Kellogg .....	804 08			
29	Henry C. Hopper .....	844 94			
		20,104 30			20,104 30

*B.—Statement of surveys made under the acts of Congress of May 30, 1862, and March 3, 1872, and the accounts of the several deputies and depositors for excess, for the year ending June 30, 1877.*

1876.			1877.		
Aug. 1	Daniel C. Oakes .....	\$743 79	June 30	By individual deposits .....	\$3,389 00
1	Henry Hall, (excess) .....	25 21			
Sept. 6	William M. May .....	625 00			
Dec. 21	do .....	600 69			
21	George W. Lockhart, (excess) ..	24 31			
1877.					
Jan. 5	H. W. Reed .....	50 00			
22	T. Martin Trippe .....	50 00			
Apr. 9	William H. Bradt .....	693 03			
9	Francis Edw. Hayden, (excess) ..	306 97			
May 3	Hal Sayr .....	210 05			
3	Hiram F. Sawyer, (excess) ....	59 95			
		3,389 00			3,389 00

C.—Statement showing the number of townships surveyed during the year ending June 30, 1877, and the area of public lands contained in the same.

Township.	Range.	Area.	Township.	Range.	Area.
		<i>Acres.</i>			<i>Acres.</i>
27 south .....	54 west .....	23, 023. 80	25 south .....	70 west .....	23, 266. 49
13 south .....	56 west .....	23, 179. 77	9 south .....	71 west .....	23, 195. 65
17 south .....	66 west .....	23, 092. 49	23 south .....	71 west .....	23, 149. 14
17 south .....	67 west .....	23, 039. 52	24 south .....	71 west .....	23, 008. 08
18 south .....	67 west .....	23, 026. 04	25 south .....	71 west .....	23, 156. 50
6 north .....	69 west .....	23, 295. 80	21 south .....	72 west .....	22, 965. 92
7 north .....	69 west .....	5, 293. 81	9 south .....	73 west .....	23, 086. 18
8 north .....	69 west .....	6, 380. 98	10 south .....	73 west .....	23, 128. 75
12 south .....	69 west .....	22, 772. 66	20 south .....	73 west .....	23, 075. 81
12 south .....	69 west .....	23, 078. 57	4 south .....	74 west .....	23, 010. 36
3 north .....	70 west .....	8, 476. 83	7 south .....	74 west .....	23, 008. 65
8 north .....	70 west .....	22, 778. 09	10 south .....	74 west .....	22, 849. 02
9 north .....	70 west .....	23, 005. 10	7 south .....	75 west .....	22, 913. 40
12 south .....	70 west .....	22, 648. 93	11 south .....	80 west .....	20, 974. 93

#### SURVEYS FROM NEW MEXICO MERIDIAN.

40 north .....	1 east .....	23, 032. 35	50 north .....	9 east .....	22, 997. 31
41 north .....	1 east .....	23, 108. 32	37 north .....	11 east .....	23, 062. 17
46 north .....	1 east .....	22, 860. 43	40 north .....	1 west .....	23, 039. 09
49 north .....	1 east .....	22, 958. 87	50 north .....	1 west .....	22, 931. 05
46 north .....	2 east .....	23, 073. 80	40 north .....	2 west .....	23, 109. 80
40 north .....	3 east .....	23, 157. 71	40 north .....	3 west .....	23, 174. 92
45 north .....	4 east .....	23, 049. 22	35 north .....	8 west .....	22, 973. 50
43 north .....	7 east .....	24, 462. 83	35 north .....	9 west .....	22, 972. 81
43 north .....	8 east .....	24, 462. 82	36 north .....	9 west .....	22, 963. 22
47 north .....	8 east .....	23, 188. 83	35 north .....	10 west .....	22, 947. 22
48 north .....	8 east .....	23, 013. 84	35 north .....	13 west .....	22, 974. 09
51 north .....	8 east .....	18, 940. 70	36 north .....	13 west .....	22, 964. 52

D.—List of mineral claims surveyed in the State of Colorado during the year ending June 30, 1877, together with the amount deposited for office expenses for the same.

No. of survey.	Name of lode.	Date of approval.	Location.	Amount of deposit.
419	Saint Louis .....	Aug. 12, 1876	Gilpin County .....	\$16 00
435	R. P. Ranney .....	July 20, 1876	do .....	16 00
437	Lindon .....	July 18, 1876	do .....	16 00
433	Placer .....	Sept. 26, 1876	do .....	16 00
434	Black Quartz .....	July 22, 1876	do .....	16 00
439	Pleasant View .....	Aug. 8, 1876	do .....	16 00
440	Alonzo Farnald .....	Sept. 15, 1876	do .....	16 00
441	Rialto .....	May 26, 1877	do .....	16 00
442	Carr .....	Sept. 19, 1876	do .....	16 00
443	R. D. Kinney .....	May 1, 1877	do .....	16 00
444	Mackey .....	Sept. 6, 1876	do .....	16 00
445	Colorado Extension .....	Sept. 11, 1876	do .....	16 00
446	Butler .....	Aug. 28, 1876	do .....	16 00
447	Hubert .....	Sept. 30, 1876	do .....	16 00
448	Huddleston .....	Sept. 19, 1876	do .....	16 00
449	Gunnell .....	Sept. 21, 1876	do .....	16 00
451	Black Hawk .....	Sept. 21, 1876	do .....	16 00
452	Camp Grove .....	Jan. 22, 1877	do .....	16 00
453	Golden Cloud .....	Sept. 30, 1876	do .....	16 00
454	Gunnell .....	Oct. 11, 1876	do .....	16 00
455	Marino .....	Oct. 10, 1876	do .....	16 00
456	Herbert Spencer .....	Oct. 17, 1876	do .....	16 00
458	California .....	Feb. 8, 1877	do .....	16 00
459	Billion .....	Jan. 27, 1877	do .....	16 00
461	Frontenac .....	Feb. 16, 1877	do .....	16 00
463	Calhoun .....	May 1, 1877	do .....	16 00
464	Gregory 2d .....	Apr. 19, 1877	do .....	16 00
465	Gardner .....	Apr. 30, 1877	do .....	16 00
470	Gunnell .....	May 14, 1877	do .....	16 00
473	Sterling .....	Apr. 25, 1877	do .....	16 00
473	Gunnell .....	Apr. 30, 1877	do .....	16 00

*List of mineral claims surveyed in the State of Colorado, &c.—Continued.*

No. of survey.	Name of lode.	Date of approval.	Location.	Amount of deposit.
474	Canandaigua.....	June 26, 1877	Gilpin County.....	\$16 00
476	First Centennial.....	June 28, 1877	do.....	16 00
477	Treasure.....	June 8, 1877	do.....	16 00
616	Tunnel Lode No. 7.....	July 26, 1876	Clear Creek County.....	16 00
627	Placer.....	July 3, 1876	do.....	16 00
629	Lamartine.....	July 11, 1876	do.....	16 00
630	Mill site.....	July 8, 1876	do.....	16 00
631	Heaton.....	Aug. 1, 1876	do.....	16 00
633	William H. Brown.....	Aug. 12, 1876	do.....	16 00
634	Columbus.....	Aug. 12, 1876	do.....	16 00
635	Argentine.....	Aug. 12, 1876	do.....	16 00
636	Washington.....	July 27, 1876	do.....	16 00
637	Golden.....	Aug. 8, 1876	do.....	16 00
638	Mill site.....	Aug. 8, 1876	do.....	16 00
639	Mill site and water power.....	Aug. 15, 1876	do.....	16 00
640	Benton.....	Aug. 17, 1876	do.....	16 00
641	Providence.....	Aug. 10, 1876	do.....	16 00
642	W. H. White.....	Aug. 24, 1876	do.....	16 00
643	General Hayes.....	Aug. 26, 1876	do.....	16 00
644	Colorado.....	Sept. 11, 1876	do.....	16 00
645	California.....	Sept. 1, 1876	do.....	16 00
646	Mill site.....	Sept. 12, 1876	do.....	16 00
647	Empire.....	Sept. 28, 1876	do.....	16 00
648	Badger State.....	Oct. 14, 1876	do.....	16 00
649	Freeland.....	Oct. 20, 1876	do.....	16 00
650	Sydney Myers.....	Nov. 24, 1876	do.....	16 00
651	Old Whig.....	Nov. 10, 1876	do.....	16 00
652	Mill site.....	Nov. 27, 1876	do.....	16 00
653	Freeland.....	Jan. 5, 1877	do.....	16 00
655	Lincoln.....	Mar. 29, 1877	do.....	16 00
656	Clarisa.....	Dec. 1, 1876	do.....	16 00
657	Frank Blair.....	Nov. 25, 1876	do.....	16 00
658	Gem.....	Dec. 13, 1876	do.....	16 00
659	Freeland.....	Jan. 9, 1877	do.....	16 00
660	..... Do.....	Jan. 9, 1877	do.....	16 00
661	Summit.....	Feb. 8, 1877	do.....	16 00
662	Atlantic.....	Jan. 24, 1877	do.....	16 00
663	Equator.....	Jan. 25, 1877	do.....	16 00
664	Placer.....	Jan. 26, 1877	do.....	16 00
665	Stevens.....	Feb. 20, 1877	do.....	16 00
666	Tilden.....	Feb. 28, 1877	do.....	16 00
667	Beauzy.....	Feb. 21, 1877	do.....	16 00
668	Hyland.....	Feb. 26, 1877	do.....	16 00
669	Nonpareil.....	Mar. 26, 1877	do.....	16 00
671	Placer.....	Mar. 15, 1877	do.....	16 00
672	Black.....	Apr. 2, 1877	do.....	16 00
674	Hawkeye.....	Apr. 10, 1877	do.....	16 00
675	George Gregory.....	Apr. 3, 1877	do.....	16 00
676	Purchase.....	Apr. 10, 1877	do.....	16 00
677	Free American Extension No. 1.....	Apr. 11, 1877	do.....	16 00
678	Coatney.....	Apr. 12, 1877	do.....	16 00
679	Tenth Legion.....	Apr. 11, 1877	do.....	16 00
680	Livingston Company.....	Apr. 12, 1877	do.....	16 00
684	Golconda.....	May 17, 1877	do.....	16 00
685	Eureka.....	June 7, 1877	do.....	16 00
688	Great Equator and Placer.....	June 14, 1877	do.....	16 00
689	Great Eastern.....	June 8, 1877	do.....	16 00
690	Grand Central.....	June 7, 1877	do.....	16 00
691	Boulder Nest.....	May 28, 1877	do.....	16 00
692	Lincoln.....	June 26, 1877	do.....	16 00
698	Benton.....	June 23, 1877	do.....	16 00
6 9	Emma.....	June 28, 1877	do.....	16 00
700	..... Do.....	June 28, 1877	do.....	16 00
702	White.....	June 19, 1877	do.....	16 00
703	White Extension.....	June 19, 1877	do.....	16 00
706	St. Patrick.....	June 19, 1877	do.....	16 00
211	Danville.....	Nov. 18, 1876	Park County.....	16 00
212	Helvetia.....	Sept. 9, 1876	do.....	16 00
214	Snowbird.....	Jan. 3, 1877	do.....	16 00
215	Guinea Pig.....	Jan. 3, 1877	do.....	16 00
216	Lime.....	Aug. 19, 1876	Lake County.....	16 00
217	Stone.....	Sept. 18, 1876	do.....	16 00
218	Rock.....	Aug. 19, 1876	do.....	16 00
224	Placer.....	Oct. 30, 1876	do.....	16 00
225	Emma.....	Feb. 3, 1877	Park County.....	16 00
226	Champion.....	Dec. 2, 1876	Summit County.....	16 00
227	Columbia.....	Mar. 2, 1877	Park County.....	16 00



## D.—List of mineral claims surveyed in the State of Colorado, &amp;c.—Continued.

No. of survey.	Name of lode.	Date of approval	Location.	Amount of deposit.
229	Vesuvius .....	Jan. 31, 1877	Lake County .....	\$16 00
230	Nova Zembla .....	Jan. 18, 1877	Park County .....	16 00
232	Bull's Eye .....	June 6, 1877	Lake County .....	16 00
233	Iron .....	June 6, 1877	do .....	16 00
236	Dome .....	June 5, 1877	do .....	16 00
264	Twin lode and mill site .....	Dec. 30, 1876	Boulder County .....	16 00
265	Brick Pomeroy .....	Nov. 17, 1876	do .....	16 00
276	Placer .....	July 12, 1876	do .....	16 00
279	Shadow .....	July 3, 1876	do .....	16 00
281	Comstock .....	Aug. 1, 1876	do .....	16 00
282	Phæbe .....	Sept. 9, 1876	do .....	16 00
283	Sunrise .....	Aug. 2, 1876	do .....	16 00
284	Hillsborough .....	Aug. 2, 1876	do .....	16 00
285	Council Hill .....	Aug. 25, 1876	do .....	16 00
286	Jo Daviess County .....	Sept. 2, 1876	do .....	16 00
287	Ten-Forty .....	Sept. 4, 1876	do .....	16 00
288	Oriole .....	Aug. 25, 1876	do .....	16 00
289	Aurum .....	Aug. 23, 1876	do .....	16 00
290	Buckskin Jo .....	Aug. 23, 1876	do .....	16 00
291	Tiowaba .....	Aug. 29, 1876	do .....	16 00
292	Denver View .....	Aug. 29, 1876	do .....	16 00
293	Chinook .....	Aug. 29, 1876	do .....	16 00
294	Alhambra .....	Oct. 21, 1876	do .....	16 00
295	North America .....	Sept. 4, 1876	do .....	16 00
296	War Eagle and mill site .....	Oct. 9, 1876	do .....	16 00
297	Grand View .....	Oct. 21, 1876	do .....	16 00
298	Humbolt and mill site .....	Dec. 23, 1876	do .....	16 00
299	Smuggler and mill site .....	Nov. 23, 1876	do .....	16 00
300	Cohen .....	Nov. 17, 1876	do .....	16 00
301	Careless Boy and mill site .....	Dec. 6, 1876	do .....	16 00
302	Placer .....	Dec. 4, 1876	do .....	16 00
303	New York .....	Jan. 6, 1877	do .....	16 00
304	Eldorado and mill site .....	Dec. 11, 1876	do .....	16 00
305	Mollie Mullin and mill site .....	Dec. 9, 1876	do .....	16 00
306	Milwaukee .....	Dec. 12, 1876	do .....	16 00
307	Emma No. 2 and mill site .....	Apr. 17, 1877	do .....	16 00
308	Placer .....	Apr. 19, 1877	do .....	16 00
309	Graphic .....	Jan. 13, 1877	do .....	16 00
310	Atlantic .....	Jan. 6, 1877	do .....	16 00
312	King Wilhelm .....	Apr. 17, 1877	do .....	16 00
314	Placer .....	Mar. 3, 1877	do .....	16 00
315	Red Cloud .....	Feb. 20, 1877	do .....	16 00
316	Belle of Memphis .....	Mar. 7, 1877	do .....	16 00
317	Mystic .....	June 8, 1877	do .....	16 00
318	Comet .....	June 26, 1877	do .....	16 00
321	Mountain Chief .....	May 1, 1877	do .....	16 00
322	Melvina .....	Apr. 2, 1877	do .....	16 00
323	Silver Queen .....	Apr. 25, 1877	do .....	16 00
327	Little of the West .....	June 5, 1877	do .....	16 00
328	Placer .....	May 25, 1877	do .....	16 00
330	Gray Copper .....	June 6, 1877	do .....	16 00
331	Vaulcuse .....	June 6, 1877	do .....	16 00
332	Yellow Pine .....	June 14, 1877	do .....	16 00
333	Brighton and mill site .....	June 23, 1877	do .....	16 00
334	Wiest and mill site .....	June 23, 1877	do .....	16 00
77	Dexter .....	July 7, 1876	Rio Grande County .....	16 00
78	Wickman .....	Aug. 1, 1876	Summit County .....	16 00
81	Placer .....	Aug. 23, 1876	Hinsdale County .....	16 00
82	Eighth Wonder .....	Sept. 6, 1876	Rio Grande County .....	16 00
83	Golden Star No. 2 .....	Sept. 20, 1876	do .....	16 00
85	Osceola .....	Aug. 15, 1876	San Juan County .....	16 00
86	Placer .....	Aug. 12, 1876	Conejos County .....	16 00
87	do .....	Aug. 12, 1876	do .....	16 00
88	Moroocroatz .....	Aug. 25, 1876	La Platte County .....	16 00
89	Comstock .....	Aug. 25, 1876	do .....	16 00
90	Comstock and mill site .....	Aug. 26, 1876	do .....	16 00
91	Moroocroatz .....	Nov. 18, 1876	do .....	16 00
92	Ocean Wave .....	Aug. 10, 1876	Hinsdale County .....	16 00
93	Wave of the Ocean .....	Aug. 10, 1876	do .....	16 00
94	Tom Moore .....	Sept. 27, 1876	San Juan County .....	16 00
95	Oriental and mill site .....	Sept. 20, 1876	do .....	16 00
96	Seymour .....	Oct. 16, 1876	do .....	16 00
99	Placer .....	Aug. 26, 1876	Hinsdale County .....	16 00
100	Flat Broke .....	Sept. 5, 1876	San Juan County .....	16 00
101	Numa .....	Sept. 25, 1876	do .....	16 00
102	Dakota .....	Sept. 25, 1876	do .....	16 00
103	Deposit .....	Mar. 16, 1877	do .....	16 00
104	Washington .....	Apr. 30, 1877	do .....	16 00



## D.—List of mineral claims surveyed in the State of Colorado, &amp;c.—Continued.

No. of survey.	Name of lode.	Date of approval.	Location.	Amount of deposit.
105	Napoleon .....	Dec. 9, 1876	San Juan County ...	\$16 00
106	Victoria .....	Feb. 16, 1877	...do .....	16 00
107	Burrows No. 2 .....	Mar. 17, 1877	...do .....	16 00
109	Vermillion Extension No. 1. ....	Mar. 17, 1877	...do .....	16 00
111	Yankton Extra .....	Apr. 30, 1877	...do .....	16 00
112	Placer .....	May 16, 1877	...do .....	16 00
113	Equator .....	Mar. 20, 1877	...do .....	16 00
114	Cross .....	Mar. 23, 1877	...do .....	16 00
115	Vermillion .....	Mar. 20, 1877	...do .....	16 00
117	Burrows Extension .....	Apr. 14, 1877	...do .....	16 00
118	Yankton .....	Mar. 21, 1877	...do .....	16 00
120	Red Cloud .....	Mar. 21, 1877	...do .....	16 00
121	Mineral Point .....	Mar. 23, 1877	...do .....	16 00
123	Red Rogers .....	Oct. 24, 1876	...do .....	16 00
124	Missionary .....	Dec. 15, 1876	Rio Grande County.	16 00
125	Manitou .....	Oct. 23, 1876	San Juan County ...	16 00
126	Cynic .....	Nov. 29, 1876	...do .....	16 00
127	Whale .....	Oct. 23, 1876	...do .....	16 00
127	Little Fanny .....	Oct. 2, 1876	...do .....	16 00
128	Philadelphia .....	Oct. 28, 1876	...do .....	16 00
129	Cleopatra .....	Dec. 7, 1876	Hinsdale County ...	16 00
130	Trail .....	Feb. 26, 1877	San Juan County ...	16 00
132	Denver Belle .....	Oct. 26, 1876	...do .....	16 00
133	J. J. Crook .....	Dec. 9, 1876	Hinsdale County ...	16 00
134	Cashier .....	Nov. 4, 1876	San Juan County ...	16 00
135	Badger State .....	Nov. 21, 1876	...do .....	16 00
136	Ulysses .....	Nov. 23, 1876	...do .....	16 00
137	Lucky .....	Nov. 21, 1876	...do .....	16 00
138	Ophir .....	Feb. 27, 1877	...do .....	16 00
139	Clipper .....	Feb. 13, 1877	...do .....	16 00
140	Cedar .....	Feb. 12, 1877	...do .....	16 00
141	Whippoorwill .....	Mar. 1, 1877	...do .....	16 00
142	Excelsior .....	Apr. 14, 1877	...do .....	16 00
144	M. Ellen .....	May 14, 1877	Hinsdale County ...	16 00
				3,520 00

## E.—Statement showing amount of salaries paid surveyor general and clerks in his office for the year ending June 30, 1877.

DR.				CR.	
1876.	Paid from regular appropriation:		1876.		
Sept. 30	To salaries, first quarter .....	\$1,827 72	July 1	By regular appropriation ....	\$6,600 00
Dec. 31	To salaries, second quarter ..	1,575 00	1877.		
1877.			July 1	By balance from last fiscal year.	6,214 72
Mar. 31	To salaries, third quarter ....	1,575 00	July 1	By special deposits during the past fiscal year.	4,728 00
June 30	To salaries, fourth quarter ....	1,575 00			
	Balance reverting .....	47 28			
		6,600 00			
1876.	Paid from special deposits:				
Sept. 30	To salaries, first quarter .....	1,500 00			
Dec. 31	To salaries, second quarter ..	1,125 00			
1877.					
Mar. 31	To salaries, third quarter ....	1,237 50			
June 30	To salaries, fourth quarter ....	1,500 00			
	Total .....	11,962 50			
June 30	To balance .....	5,580 22			
		17,542 72			17,542 72

## F.—Statement showing the amount expended for rent of office, books, stationery, fuel, and other incidental expenses for the year ending June 30, 1877.

DR.				CR.	
1876.			1876.		
Sept. 30	To expenses, first quarter ....	\$469 30	July 1	By appropriation .....	\$1,500 00
Dec. 31	To expenses, second quarter ..	319 40			
1877.					
Mar. 31	To expenses, third quarter ....	319 50			
June 30	To expenses, fourth quarter ..	391 75			
	Balance reverting .....	5			
		1,500 00			

*I.—Report of the surveyor general of Montana.*

UNITED STATES SURVEYOR GENERAL'S OFFICE,  
*Helena, Mont., August 8, 1877.*

SIR: In compliance with instructions contained in your communication "E," of April 3, 1877, I have the honor to submit herewith the annual report of this office, with accompanying statements, in duplicate, for the fiscal year ending June 30, 1877, viz:

A.—Showing condition of appropriation for the survey of public land in Montana for the fiscal year ending June 30, 1877.

B.—Showing amount of special deposits made for office work on mineral claims in Montana for the fiscal year ending June 30, 1877.

C.—Showing list of lands surveyed in Montana during the fiscal year ending June 30, 1877.

D.—Showing condition of surveys contracted for by the surveyor general for Montana for the fiscal year ending June 30, 1877.

E.—Showing condition of appointments of United States deputy mineral surveyors.

F.—Showing the number of township plats and descriptive lists of land, timber, corners, &c., furnished the Helena and Bozeman land offices during the fiscal year ending June 30, 1877.

G.—Showing condition of appropriation for clerks in office of surveyor general for Montana for the fiscal year ending June 30, 1877.

H.—Showing condition of appropriation for salary of surveyor general for Montana for the fiscal year ending June 30, 1877.

I.—Showing condition of appropriation for incidental expenses for office of surveyor general for Montana for fiscal year ending June 30, 1877.

J.—Showing amounts of special deposits made for the survey of public land other than mineral in Montana during the fiscal year ending June 30, 1877.

K.—Showing the number of plats made in the office of surveyor general for Montana during the fiscal year ending June 30, 1877.

L.—Showing the total number of acres surveyed in Montana to June 30, 1877.

M.—Showing the number of linear miles surveyed, the rates per mile, and the cost of surveys in Montana during the fiscal year ending June 30, 1877.

N.—Giving names, nativity, &c., of surveyor general and clerks in his office during the fiscal year ending June 30, 1877.

O.—Estimate for surveying service and office work and expenses for the fiscal year ending June 30, 1879.

## SURVEYS.

The entire appropriation of \$17,000 apportioned this district, excepting a balance of \$173.44, has been exhausted, all of the work under contracts having been performed under instructions based upon Congressional action in relation thereto.

The following meridian and standard lines have been established during the past fiscal year:

The base line through ranges 11 and 12 and portions of 13 and 16 east, to its intersection with the Yellowstone River, the boundary of the Crow Indian reservation.

The Big Hole guide meridian, through township 5 south, between ranges 14 and 15 west.

The Red Rock guide meridian, through townships 11, 12, 13, and 14 south, between ranges 6 and 7 west.

The Sweet Grass guide meridian, through townships 1, 2, 3, and 4 north, between ranges 15 and 16 east.

The Judith guide meridian, through township 7 north, between ranges 15 and 16 east.

The first standard parallel south, through range 15 west; the first standard parallel north, through ranges 14 and 15 east; these being the preliminary lines to the extension of surveys into the Yellowstone, Big Hole, Musselshell, Red Rock, and Sweet Grass Valleys and tributaries, in which localities fifty-four townships were surveyed and returned, embracing an aggregate area of 790,359.42 acres, at a cost to the government of 3<sup>50</sup>/<sub>100</sub> cents per acre. A portion of this area contained settlements, including the towns of Butte, Silver Bow, Travona, and Rocker, located in the most valuable mineral belt in Montana at present.

The valley of Red Rock Creek was entirely surveyed, in which a number of settlements have been made. This valley, lying on the main stage and telegraph line between Montana and Utah, contains a large amount of agricultural land as yet unimproved, offering many advantageous locations to those desirous of settling in Montana.

A hitherto unsurveyed agricultural and grazing tract of country was discovered in the prolongation of surveys during the past season, known as the Upper Sweet Grass Valley, a tributary of the Yellowstone River, commencing at a point about twelve miles above its mouth, and extending thence up the creek to the base of the Crazy Mount-

ains, a distance of about thirty-five miles, is a beautiful tract of country, averaging about fifteen miles in width, covered with most luxuriant grass for the stock-grower, and the finest arable land for the agriculturist, with an abundance of water for irrigation and other purposes.

The valleys of the Musselshell and Big Hole also contain many fine locations for settlers, and need but the improvement to bud into blooming beauty and freshness. The establishment of government posts on the Lower Yellowstone has given a feeling of security to settlers, as predicted in former reports, and a tide of immigration is steadily flowing in. Many families have settled in that vicinity within the past year, and many others on the route. A petition, signed by three hundred residents of that locality, for the survey of the Yellowstone Valley, in the vicinity of Big Horn and Tongue Rivers, has been filed in this office, and upon this and other necessities my estimate for surveys for the fiscal year ending June 30, 1879, is based.

#### MINERAL SURVEYS.

There have been seventy-three surveys of lode and placer claims, ordered during the past fiscal year, the amount of deposit for office work on which amounted to \$1,810, to which is added \$15 deposited in case of the survey of fractional portion of township 10 north, range 1 east, under the deposit system, makes an aggregate of \$1,825 for office work.

I would again suggest that the blank maps and forms required in the workings of the mineral department is no inconsiderable item in our incidental expense account, and some provision should be made to meet these expenses separate and apart or combined with the regular appropriation.

#### OFFICE WORK.

Five hundred and eighty-nine plats have been made in the office during the past fiscal year. The accounts for surveys, both agricultural and mineral, have been worked up promptly, and with no unnecessary delay to deputies, settlers, or claimants, my office force working day and night during the surveying season, in order to push the work forward, and attending to the regular daily duties of the office. I would respectfully call your attention to the article on office work embraced in my last report, the necessities therein mentioned still existing.

#### AGRICULTURE.

From appearances every farm in Montana will be cultivated and improved the present season; farmers who, from the devastating ravages of grasshoppers in former years, had become disheartened and almost completely discouraged, have commenced labor with renewed ardor and hope, and the indications are that the present season will be the best for agricultural products in the history of the Territory.

The past spring has been an unusually wet one, the climate seeming to have undergone a radical change, and on the whole this branch of industry promises better than ever before. Lands that three years ago were considered valueless have, by improvement, proven very lucrative to the settler, and in many places, in altitudes of from 5,000 to 7,000 feet, all kinds of cereals and vegetables were raised, except tomatoes and corn, the production of which the high altitudes and early frosts will not permit.

#### PLACER MINES.

The success attendant upon the development of silver lodes has to a great extent reduced the working of placer mines, they being left for this greater inducement and returns of opening and developing quartz lodes, until the past season, during which the heavy fall of snow and rain has added a new impetus to placer mining. Several old districts have been reorganized and worked energetically and steadily, fully demonstrating the fact that as a placer mining and gold producing country Montana stands next in order to California.

Some of the mountainous country on the Big Horn, Powder River, and Clark's Fork, and their tributaries are as yet unknown, but it is predicted that these localities will present a greater field for placer and gold mining than any other portion of the Territory has, or will accommodate. There is said to be five hundred gulches in Montana of varied length from one to twenty miles, in which placer mining is carried on during six or seven months of the year, with a good prospect of yielding well for several years to come.

#### GOLD LODES.

The development of gold lodes is steadily progressing, and new and improved machinery constantly being added for the working of auriferous ores.

A new district has come into public notice during the past year, that known as Pony Mining District, located near the head of Pony Gulch, one of the tributaries of Willow Creek, in Madison County.

A fifteen-stamp mill was erected in this district about one year ago, to reduce the ores of the Strawberry mine. The success of the enterprise and the richness of the ore attracted numerous prospectors from all directions, and in a few months the town of Pony sprang into existence, containing at this time a population of about four hundred, and the surrounding country dotted with a great number of locations of rich, paying auriferous lodes. Among the mines in this district may be mentioned the Strawberry, Boss Tweed, Willow Creek, Keystone, Policy, Christy Cubb, Pilot, and many others that are being continually developed, the ore taken therefrom being worked in the camp by eight different mills erected for the purpose; and negotiations, I understand, are in progress for the erection of several other mills during the coming year. Mineral Hill, on which these ledges are situated, is  $4\frac{1}{2}$  miles in length, and extends from half a mile below the town of Pony westerly to South Boulder Creek. There are twenty-one lodes located in one continuous line on this ledge—twelve on a line parallel on the north, and fifteen on the south—while half a mile south, and running parallel, are the Atlantic and Pacific Lodes, showing veins sixty feet in width. From this it will be seen this district promises a brilliant future.

#### ARGENTIFEROUS LODES.

Reports from all silver mining districts in the Territory are very encouraging, and indicate that silver mining has become firmly established throughout the Territory. Leads that have been noted in former reports have been developed with flattering results, and numbers of new and rich discoveries have materially added to this the chief industry of Montana. The mines in the vicinity of Jefferson City, under the influence of recent improvements in concentrators and smelting furnaces, have been worked more determinedly and constantly; the Rumley Lode has a drift of 90 feet in the ore body of the vein, and the end not reached yet, with 4,000 tons of concentrating ore on the dump and 20,000 tons of ore in sight, being the largest body of ore ever exposed in any one vein in Montana; the Comet, adjacent to the Rumley, has 6,000 tons on the dump, with about 8,000 tons exposed in the lower levels, assaying from \$35 to \$150 in silver per ton, with a heavy per cent. of lead. The Australia, of which the Comet has developed to be an extension, is more than meeting the most sanguine expectations; a tunnel cutting the vein at a depth of 150 feet, on discovery, shows a pay vein of 9 feet in width assaying from 45 to 320 ounces per ton in silver. A quantity of high grade ore from this mine has been sold for shipment. The Gregory mine is being rapidly and skillfully developed under the management of experienced miners. They have over 3,000 tons of ore on the dump, and the facilities for hoisting ore recently greatly enhanced by the addition of steam hoisting works. A large quantity of ore from the lodes mentioned, and from other lodes in this district, are being worked by the Montana Company's concentrating works, recently finished at a cost of \$90,000, a brief notice of which will not be amiss in this report, to show the advance made in the Territory in ore reducing facilities. The process employed is "Krom's crushing, drying, and concentrating process," the ore first passing through Blake crushers, thence over drying furnaces, and through one set of rollers, where it is elevated, weighed, and put through another set of rollers; thence, by means of cup elevators, carried to the third story, and, descending through four screens, is sized and separated, the separators being on the lower floor. Suction pipes connect with all the chambers where the ore is handled, and the dust is carried to an adjoining building for roasting. Reverberatory furnaces are used for slagging finest concentrations after passing through the Bruckner cylinders, and before being carried to the water jacket furnace. These works have a working capacity of fifty tons per day. The rapid growth of Butte and Philippsburg districts is unparalleled in the history of Montana. The introduction of capital in the development of the veins, and new machinery from Utah and elsewhere, has been shipped and put into running order during the past year, and to-day these districts are considered the "bonanzas" of Montana. The lodes mentioned in my last report are all being steadily worked, and constant shipments of ores, bullion, and silver are being made, although the demand for transportation is greater than the supply. Besides the list of mines given in these districts, there are thousands of minor prospects all over the Territory that would consume too much time and space to particularly mention. Trapper, Silver Star, and Vipond districts are advancing with rapid strides; and in the vicinity of Helena, the Red Mountain and Scratch Gravel silver veins are receiving attention, and are likely to prove permanently valuable.

#### COPPER.

At Butte large discoveries of copper lodes have been made along the westward slope of the range to the northward, indicating a very extensive belt of these minerals, while at Copperopolis copper mining is the main feature, and development of lodes in that locality is steadily progressing. Although this branch of the mineral deposits is still as yet in its infancy, the indications are that at no distant day copper mining will be no inconsiderable feature in the industries of the Territory.

## COAL.

The surveys of the past fiscal year have brought to notice several extensive coal beds on the Musselshell River, while in the vicinity of Butte new discoveries of coal beds have been made, and the mines are being worked to good advantage. The indications are very conclusive that Montana can and will produce all the coal required for future manufacturing and commercial interests.

## STOCK.

The stock interest of Montana is a great and growing industry, and is fast becoming one of her leading interests; thousands of cattle and sheep are driven from and into the Territory annually, and the grazing facilities of the Territory are being utilized and improved to a vast extent, and Montana beef is to-day the leading feature in Eastern and foreign markets, and commands better prices than any other.

Sheep are being raised with great profit and very little loss from the flocks that in many cases range on the hills the entire season. It is estimated that there are about 75,000 head of sheep in the Territory, and the wool product for the past season is estimated at about 400,000 pounds, which is shipped and meets with a ready and profitable sale in Eastern markets. The erection of woollen mills, already commenced, will materially aid the sheep growers in providing a market for their wools and add a new feature to the industries of the Territory.

The character of land in Montana, as the stock interest advances, is rapidly changing, and now, where a short time ago the survey of land was considered by skeptics to be valueless, is rapidly being taken up and improved for sheep and stock pastures or ranges; for, by means of irrigation, the grass crop is increased threefold, and the blue joint grass springs up thick and luxuriantly by this means, upon which stock are fed. This improvement is noticeable in several localities, especially in Meagher County, and at no distant day the sheep and stock interests of the Territory will demand vast tracts of these lands for the sustenance of stock.

## CONCLUDING REMARKS.

The organization of a new county government, (Custer County,) and the building of government posts, and location of troops therein, has greatly added to the settlement of that portion of the Territory. It has interposed an effectual barrier between the settlements and danger from Indians, leading to the improvement of our mines and the permanent settlement of the vast unoccupied tracts of our Territory. A great many settlers have located in that vicinity, and a large immigration is coming that way from Dakota and southwestern border into Montana. It is believed that the immigration the present season will equal the present population of the Territory.

We need men and women even more than capital; and while other Territories have commissioners of immigration to disseminate information and attract the attention of those meditating immigration, or direct wavering thoughts and steps, we have none and never had any, and yet we have more substantial inducements to offer than many of the Western States and Territories. Transportation now by way of the Missouri River is quick and cheap. To those who will come, as they would go elsewhere, without the expectation of picking up a fortune in the first day or week, but wait quietly and intelligently the chances, Montana to-day offers a more inviting place of location than ever before. Every year witnesses steady advancement in the comforts and advantages of civilized life. With regard to investment of capital in our mines, I have only to reproduce, in closing this report, what a correspondent of an Eastern paper has written, who has been here and knew whereof he wrote, that "Montana, being farther away from communication with the civilized world than any other part of the Union, has suffered more severely and for a longer time than any sister Territory; but those who have remained in her cañons and valleys in the belief that the land was good and worth standing by, cannot be far from the day of their reward. Signs of new life and new growth are everywhere visible. Silver mining has become one of the recognized industries of the Territory. Gold quartz mining is on a sound basis, and many old and abandoned placer districts are waking up under the stimulus of new enterprises. Capital to a moderate extent has come in, and is being employed successfully, and already is reproducing itself. Montana is no longer an unknown and unvisited section of the West, and those who have taken the pains to examine its resources are finding that it embraces as fine a field for investment as any part of the country."

Very respectfully, your obedient servant,

ANDREW J. SMITH,  
*Surveyor General, Montana.*

Hon. J. A. WILLIAMSON, *Commissioner.*

## A.—Statement showing condition of appropriation for surveys of public land in the Territory of Montana during the fiscal year ending June 30, 1877.

Dr.

Cr.

No. of contract.	Date of accounts.	Contractors.	Amount.	Date.		Amount.
73	1876. Oct. 27	Germaine A. Kellogg.....	\$951 52	1876. Aug. 22	By appropriation, act of July 31, 1876.	\$17,000 00
71	Nov. 3	Demas L. McFarland.....	835 18			
73	Nov. 23	Germaine A. Kellogg.....	1,379 12			
71	Dec. 21	Demas L. McFarland.....	1,033 51			
71	1877. Jan. 8	Demas L. McFarland.....	910 83			
72	Jan. 24	Walter W. De Lacy.....	957 16			
73	Feb. 8	Germaine A. Kellogg.....	321 84			
71	Feb. 16	Demas L. McFarland.....	1,209 50			
74	May 5	George F. Marsh and D. L. McFarland.	787 73			
73	May 17	Germaine A. Kellogg.....	969 75			
74	May 25	Marsh & McFarland.....	952 76			
73	June 15	Germaine A. Kellogg.....	1,677 20			
72	June 29	Walter W. De Lacy.....	1,251 24			
74	July 3	Marsh & McFarland.....	3,029 52			
73	July 5	Germaine A. Kellogg.....	529 70			
	June 30	Balance .....	173 44			
			17,000 00			17,000 00

ANDREW J. SMITH,  
Surveyor General, Montana.

**B.—Statement of special deposits for office work on mining claims in Montana for the fiscal year ending June 30, 1877.**

Name of deputy.	Date of appointment.	Name of depositors.	No. of surveys.	Amount of deposit.	Date of certificate of deposit.	No. of certificate of deposit.	No. of lot.	Location of survey.	
								Township.	Range.
W. W. De Lacy.....	Apr. 25, 1873	Frederic Tieleke.....	1	\$25	July 3, 1876	23		7 north.....	1 east.
B. F. Marsh.....	Aug. 6, 1872	Kershaw and Stickney.....	2	25	July 3, 1876	22	38 and 41	10 and 11 north.....	8 west.
D. L. McFarland.....	June 22, 1874	James Murray.....	3	25	Aug. 3, 1876	24		9 north.....	11 west.
George B. Foote.....	Dec. 19, 1872	Stephen Bynum <i>et al.</i> .....	4	25	Aug. 4, 1876	25		8 north.....	5 west.
D. L. McFarland.....	June 22, 1874	Ernst Müller <i>et al.</i> .....	5	25	Aug. 11, 1876	26	39 and 37	6 north.....	8 and 9 west.
W. W. De Lacy.....	Apr. 25, 1873	Robert S. Hale.....	6	25	Aug. 17, 1876	27		9 north.....	3 west.
Benjamin F. Marsh.....	Aug. 6, 1872	Roman Kuhn.....	7	25	Aug. 19, 1876	28		10 north.....	4 west.
W. W. De Lacy.....	Apr. 25, 1873	George W. Cleveland <i>et al.</i> .....	8	25	Sept. 1, 1876	29	50 A and B	7 north.....	4 west.
Preston Scott.....	July 25, 1874	L. Derich <i>et al.</i> .....	9	25	Sept. 7, 1876	30		9 north.....	4 west.
James M. Page.....	July 15, 1874	F. R. Merd.....	10	25	Sept. 7, 1876	31		2 south.....	7 west.
George B. Foote.....	Dec. 19, 1872	James F. Bennett.....	11	25	Sept. 7, 1876	32		10 north.....	2 east.
Do.....	Dec. 19, 1872	Dennis Lawler <i>et al.</i> .....	12	25	Sept. 11, 1876	33		10 north.....	2 east.
George F. Marsh.....	Aug. 12, 1873	Samuel T. Hauser.....	13	25	Sept. 13, 1876	34		43 7 north.....	5 west.
B. F. Marsh.....	Aug. 6, 1872	John Murphy.....	14					44 13 north.....	8 west.
Do.....	Aug. 6, 1872	Herman Blume.....	15	30	Sept. 21, 1876	36		45 13 north.....	8 west.
Do.....	Aug. 6, 1872	Daniel W. Sprandle.....	16	25	Sept. 20, 1876	35	41, 39, and 46	12 and 13 north.....	8 and 9 west.
George B. Foote.....	Dec. 19, 1872	Mary E. Guyer.....	17	25	Sept. 23, 1876	37		51 7 north.....	4 west.
James M. Page.....	July 15, 1874	Patrick Kelley <i>et al.</i> .....	18	25	Sept. 23, 1876	38		44 6 south.....	10 west.
George B. Foote.....	Dec. 19, 1872	William Chumaseo <i>et al.</i> .....	19					38 9 north.....	5 west.
Do.....	Dec. 19, 1872	do.....	20					39 9 north.....	5 west.
Do.....	Dec. 19, 1872	do.....	21					42 8 north.....	5 west.
Do.....	Dec. 19, 1872	do.....	22					43 8 north.....	5 west.
Do.....	Dec. 19, 1872	do.....	23	275	Oct. 2, 1876	39		54 8 north.....	5 west.
Do.....	Dec. 19, 1872	do.....	24	5	July 2, 1877	82		56 8 north.....	5 west.
Do.....	Dec. 19, 1872	do.....	25					70 8 north.....	5 west.
Do.....	Dec. 19, 1872	do.....	26					71 8 north.....	5 west.
Do.....	Dec. 19, 1872	do.....	27					72 8 north.....	5 west.
Do.....	Dec. 19, 1872	do.....	28				73 A and B	8 north.....	5 west.
Do.....	Dec. 19, 1872	do.....	29					74 8 north.....	5 west.
Benjamin F. Marsh.....	Aug. 6, 1872	David A. Carlyle <i>et al.</i> .....	30	25	Oct. 11, 1876	40		40 11 north.....	2 east.
Preston Scott.....	July 25, 1874	Jos. R. Walker.....	31	25	Oct. 19, 1876	41		48 3 north.....	8 west.
Do.....	July 25, 1874	do.....	32	25	Oct. 19, 1876	41		49 3 north.....	8 west.
James M. Page.....	July 15, 1874	Jos. C. Keppler <i>et al.</i> .....	33	25	Oct. 22, 1876	42		49 3 south.....	11 west.
George B. Foote.....	Dec. 19, 1872	William P. Ballard <i>et al.</i> .....	34	25	Oct. 30, 1876	43		44 9 north.....	11 west.
Preston Scott.....	July 25, 1874	H. H. Porter <i>et al.</i> .....	35	25	Nov. 9, 1876	44		39 3 north.....	9 west.
James M. Page.....	July 15, 1874	Thomas Ford <i>et al.</i> .....	36	25	Nov. 14, 1876	45		50 3 south.....	11 west.
B. F. Marsh.....	Aug. 6, 1872	Henry Hay <i>et al.</i> .....	37	25	Dec. 15, 1876	46		47 10 north.....	4 west.
James M. Page.....	July 15, 1874	Edmond J. Walter.....	38	30	Dec. 18, 1876	48	37 A and B	2 south.....	4 west.
George B. Foote.....	Dec. 19, 1872	Montana Company.....	39	15	Dec. 16, 1876	47		53 7 north.....	4 west.

\* Deposited with the First National Bank, Helena, Mont.



B.—Statement of special deposits for office work on mining claims in Montana for the fiscal year ending June 30, 1877—Continued.

Name of deputy.	Date of appointment.	Name of depositors.	No. of surveys.	Amount of deposits.	Date of certificate of deposit.	No. of certificate of deposit.	No. of lot.	Location of survey.	
								Township.	Range.
James M. Page	July 15, 1874	C. L. Dahler and P. A. Largey	40	25	Jan. 2, 1877	50	39	2 south	6 west.
Do	July 15, 1874	do	41	25	Jan. 2, 1877	50	40	2 south	6 west.
Do	July 15, 1874	do	42	25	Jan. 2, 1877	50	41	2 south	6 west.
Do	July 15, 1874	do	43	25	Jan. 2, 1877	50	42	2 south	6 west.
A. B. Knight	July 19, 1875	Peter V. Jackson	44	25	Jan. 2, 1877	49	38	3 south	1 east.
Do	July 19, 1875	do	45	25	Jan. 2, 1877	49	37 A and B	3 south	1 west.
D. L. McFarland	June 22, 1874	Hope Mining Company	46	25	Jan. 11, 1877	51	43 A	7 north	13 west.
George B. Foote	Dec. 19, 1872	A. G. Clarke <i>et al.</i>	47	25	Jan. 15, 1877	52	78	9 north	4 west.
Preston Scott	July 25, 1874	A. W. Barnard <i>et al.</i>	48	25	Feb. 2, 1877	53	50	3 north	8 west.
Do	July 25, 1874	do	49	25	Feb. 2, 1877	54	51	3 north	8 west.
Do	July 25, 1874	do	50	25	Feb. 2, 1877	55	52	3 north	8 west.
Do	July 25, 1874	William A. Clarke <i>et al.</i>	51	25	Feb. 9, 1877	56	53	3 north	8 west.
A. B. Knight	July 19, 1875	John Donegan and A. H. Van Brocklin	52	25	Feb. 17, 1877	57	48	6 south	3 west.
James M. Page	July 15, 1874	Edward L. Briggs	53	25	Mar. 9, 1877	58	38	2 south	6 west.
A. B. Knight	July 19, 1875	George W. Barnes <i>et al.</i>	54	25	Mar. 17, 1877	59	37	2 south	3 west.
George B. Foote	Dec. 19, 1872	Polar Star Mining Company	55	15	Apr. 2, 1877	61	37	6 and 7 north.	4 and 5 west.
James M. Page	July 15, 1874	John D. Thomas <i>et al.</i>	56	25	Mar. 31, 1877	60	43	2 south	6 west.
Do	July 15, 1874	Charles Heineman	57	25	Apr. 5, 1877	64	44	2 south	6 west.
Do	July 15, 1874	do	58	25	Apr. 5, 1877	64	45	2 south	6 west.
B. F. Marsh	Aug. 6, 1872	A. G. Clarke	59	30	Apr. 4, 1877	62, 65	39 A and B	6 north	4 west.
Do	Aug. 6, 1872	do	60	25	Apr. 4, 1877	63	40	6 north	4 west.
Preston Scott	July 25, 1874	Harry C. Kessler <i>et al.</i>	61	25	Apr. 13, 1877	66	54	3 north	8 west.
Do	July 25, 1874	Nephel Packard <i>et al.</i>	62	25	Apr. 20, 1877	67	55	3 north	8 west.
Do	July 25, 1874	do	63	25	Apr. 20, 1877	68	56	3 north	8 west.
Do	July 25, 1874	Harry C. Kessler	64	25	Apr. 21, 1877	69	57	3 north	8 west.
B. F. Marsh	Aug. 6, 1872	John Keating and Peter Coffey	65	25	Apr. 21, 1877	70	42	12 north	9 west.
Do	Aug. 6, 1872	Ion Wulff	66	25	Apr. 21, 1877	71	43	10 and 11 north	7 west.
George B. Foote	Dec. 19, 1872	National Mining and Excavating Company	67	25	Apr. 24, 1877	72	78	9 north	4 west.
Do	Dec. 19, 1872	do	67	5	May 1, 1877	76	78 B	9 north	4 west.
Do	Dec. 19, 1872	do	68	25	Apr. 24, 1877	73	79	9 north	4 west.
Do	Dec. 19, 1872	do	68	5	May 1, 1877	76	79 B	9 north	4 west.
A. B. Knight	July 19, 1875	George W. Barnes <i>et al.</i>	69	25	Apr. 26, 1877	74	38	2 south	3 west.
B. F. Marsh	Aug. 6, 1872	William H. Milrea <i>et al.</i>	70	25	Apr. 27, 1877	75	42	11 north	8 west.
George B. Foote	Dec. 19, 1872	Algonquin Company	71	25	May 8, 1877	77	51	7 north	13 west.
Preston Scott	July 25, 1874	Talbot and Downs	72	25	June 13, 1877	80	-----	-----	-----
B. F. Marsh	Aug. 6, 1872	Spencer and Meeds	73	25	June 16, 1877	81	44	11 north	1 west.
Total amount deposited			---	1,810					

\* Deposited with the First National Bank, Helena, Mont.

ANDREW J. SMITH, *Surveyor General.*

C.—List of public land surveyed in Montana Territory during the fiscal year ending June 30, 1877.

No. of townships surveyed.	Township.	Range.	Public land surveyed, agri-cultural.	A. Military reservation.	B. Unsurveyed mountain land.	C. Swamp, river, and lake.	D. Returned as mineral.	Total number of acres.
			Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
1	7 north	16 east	22,955.87					22,955.87
2	8 north	16 east	22,959.72					22,959.72
3	4 south	16 west	14,723.32		8,227.38			22,951.20
4	5 south	15 west	22,992.54					22,992.54
5	7 north	17 east	22,953.22					22,953.22
6	7 north	18 east	22,954.59					22,954.59
7	8 north	17 east	23,053.34					23,053.34
8	14 south	6 west	23,020.16					23,020.16
9	14 south	7 west	12,096.58		10,877.18			22,973.76
10	13 south	5 west	10,804.68		12,084.92			22,989.60
11	14 south	4 west	16,311.40		6,642.68			22,954.08
12	14 south	5 west	16,128.06		6,825.02			22,953.08
13	2 south	9 west	6,440.00		16,238.56		240.00	22,918.56
14	1 south	9 west	8,116.74		14,732.22			22,848.96
15	1 north	9 west	12,517.84		10,230.32			22,748.16
16	2 north	9 west	11,944.74		11,215.42		240.00	23,400.16
17	4 north	9 west	4,821.39		18,161.49			22,982.88
18	4 north	11 west	2,783.10		20,092.07			22,875.17
19	5 north	11 west	2,798.37		20,223.39			23,021.76
20	10 north	1 east	14,890.84		6,554.28	158.76	1,292.12	22,936.00
21	12 south	9 west	11,579.58		11,333.70			22,913.28
22	12 south	10 west	8,250.60		14,669.88			22,920.48
23	13 south	7 west	3,338.24		19,585.12			22,923.36
24	13 south	8 west	8,720.74		18,720.82			22,944.56
25	13 south	9 west	16,857.68		6,046.48			22,904.16
26	14 south	8 west	4,375.07		16,611.87			22,986.94
27	14 south	9 west	2,284.48		20,701.28			22,985.76
28	1 south	11 east	9,412.51	a4,710.45	8,827.10			22,950.06
29	1 south	12 east	14,854.64	a7,993.36				22,848.00
30	1 south	13 east	3,096.55	a20,046.12				23,142.67
31	7 north	19 east	21,667.06				b1,280.00	22,947.06
32	7 north	20 east	22,931.04					22,931.04
33	1 north	14 east	8,970.17	a14,050.15				23,020.32
34	1 north	15 east	13,257.43	a9,770.57				23,028.00
35	1 north	16 east	11,476.81		11,545.91			23,022.72
36	8 north	18 east	23,020.90					23,020.90
37	8 north	19 east	21,153.87				b1,980.00	23,073.87
38	8 north	20 east	20,620.96				b2,524.32	23,145.28
39	7 north	15 east	22,975.03					22,975.03
40	3 north	9 west	8,233.44		9,836.14		4,880.00	22,949.58
41	3 north	8 west			1,670.35		21,289.57	22,959.92
42	2 north	8 west	8,271.08		14,448.92		320.60	23,040.00
43	2 north	7 west	7,551.72		15,408.12			22,959.84
44	3 north	7 west	4,612.25		15,793.42		2,569.53	22,975.20
45	4 north	7 west	3,954.00		18,924.24			22,878.24
46	1 north	13 east	16,334.53	a950.43	5,725.28			23,010.24
47	2 north	14 east	23,005.63					23,005.63
48	2 north	15 east	23,023.73					23,023.73
49	3 north	14 east	14,712.67		8,237.57			22,950.24
50	3 north	15 east	22,919.52					22,919.52
51	4 north	14 east	22,906.97					22,906.97
52	4 north	15 east	22,855.13					22,855.13
53	7 north	13 east	6,236.84		16,679.80			22,916.64
54	7 north	14 east	22,976.51					22,976.51
			753,803.88	57,521.08	302,374.43	158.76	36,555.54	1,240,413.69
			36,555.54					
Total number of acres surveyed.			790,359.42					

a Indian reservation.

b Coal lands.

ANDREW J. SMITH,  
Surveyor General, Montana.

**D.—Statement showing condition of the public surveys contracted for by the surveyor general for Montana Territory, under appropriation by Congress, for the fiscal year ending June 30, 1877.**

Contracts.		Character and location of work.	Name of deputies.	Remarks.
No.	Date.			
71	1876. Sept. 8	The base line, through range 16 west, the Big Hole guide meridian, through townships 5 and 6 south, between ranges 14 and 15 west; the first standard parallel south, through ranges 14, 15, and 16 west; the exterior and subdivision lines of townships 1, 2, 3, 4, and 5 south, range 16 west, and townships 5 and 6 south, ranges 14 and 15 west; the extension of the Red Rock guide meridian, through townships 11, 12, and 13 south, between ranges 6 and 7 west, and the exterior and subdivision lines of fractional townships 12 south, ranges 8 and 9 west; township 13 south, ranges 7 and 8 west; townships 12 and 13 south, range 7 west, and township 13 south, ranges 5 and 6 west, of the principal meridian, Montana; estimated amount of contract being \$5,666.00.	Demas L. McFarland..	The base line, through range 16 west; the Big Hole guide meridian, through township 6 south; the first standard south, through ranges 14 and 16 west; the exterior and subdivision lines of townships 1, 2, and 3 south, range 16 west; townships 5 and 6 south, ranges 14 and 15 west; township 12 south, range 8 west; township 12 south, range 7 west, and township 13 south, range 6 west, were not run. The Red Rock guide meridian, through township 14 south, and township 12 south, range 10 west; township 13 south, range 9 west, and township 14 south, ranges 4, 5, 6, 7, 8, and 9 west, were substituted under special instructions. Completed and returned.
72	Sept. 8	The exterior and subdivision lines of townships 1 and 2 south, range 9 west; township 3 north, range 8 west, and township 5 north, ranges 11, 12, and 13 west, and subdivision lines of townships 1, 2, 3, and 4 north, range 9 west, of the principal meridian; estimated amount of contract being \$3,550.	Walter W. De Laoy...	Township 5 north, ranges 12 and 13 west, were not run. Township 2 north, ranges 7 and 8 west; township 3 north, range 7 west; township 4 north, range 7 west; township 4 north, range 11 west, and township 3 south, range 9 west, were substituted under special instructions. Completed and returned.
73	Sept. 8	The Judith guide meridian, through township 7 north, between ranges 15 and 16 east; the exterior and subdivision lines of township 8 north, ranges 16, 17, 18, 19, and 20 east, (fractional,) 7 north, range 13 east, and township 7 north, ranges 14, 15, 16, 17, 18, 19, and 20 east; estimated amount of contract being \$5,666.	Germaine A. Kellogg.	Fractional township 10 north, range 1 east, was substituted under special instructions. Completed and returned.
74	1877. Feb. 16	The base line, through ranges 11, 12, 13, 15, and 16 east; a guide meridian, through townships 1, 2, and 3 north, between ranges 15 and 16 east; the exterior subdivision and meander lines of township 1 south, ranges 11, 12, and 13 east; township 1 north, ranges 13, 14, and 15 east; the exterior and subdivision lines of township 1 north, ranges 11, 12, and 16 east; township 2 north, ranges 14, 15, and 16 east, and township 3 north, range 16 east; estimated amount of contract being \$4,794.98.	George F. Marsh and Demas L. McFarland.	The base line in range 15 east; the exterior and subdivision lines of township 1 north, ranges 11 and 12 east; townships 2 and 3 north, range 16 east, were not run; the Sweet Grass guide meridian, through township 4 north, between ranges 15 and 16 east; the first standard north, between ranges 14 and 15 east, and townships 3 and 4 north, ranges 14 and 15 east, being substituted under special instructions. Completed and returned.
75	June 2	A certain subdivisional line in fractional township 10 north, range 1 east; principal meridian, Montana, described as follows: beginning at the corner to sections 10, 11, 14, and 15 in said township, and running thence east on a true line 40 chains, to the point for the quarter-section corner, under act of Congress of May 30, 1862, payable out of certificate of deposit No. 79, dated May 29, 1877; deposit made in First National Bank of Helena, Montana, by Edward P. Smith, of \$25.	Benjamin F. Marsh...	Not yet returned.

ANDREW J. SMITH,  
Surveyor General, Montana.

E.—Statement showing condition of appointments made for the survey of mineral lands in Montana, under acts of Congress, during the fiscal year ending June 30, 1877.

Appointment.		Name of deputy.	Extent of district.	Number of surveys made.	Remarks.
No.	Date.				
1	Aug. 6, 1872	Benjamin F. Marsh...	Montana Territory...	13	
2	Dec. 19, 1872	George B. Foote .....	do .....	22	
3	Apr. 25, 1873	Walter W. De Lacy ..	do .....	3	
4	May 9, 1873	Peter Kook .....	do .....	0	
5	Aug. 12, 1873	George F. Marsh .....	do .....	1	Resigned February 21, 1877.
6	Sept. 13, 1873	M. A. Mayendorff .....	do .....	0	
7	Sept. 13, 1873	William H. Baker .....	do .....	0	
8	Oct. 13, 1873	David E. Folsom .....	do .....	0	
9	June 22, 1874	Demas L. McFarland ..	do .....	3	
10	July 15, 1874	James M. Page .....	do .....	13	
11	July 25, 1874	Preston Scott .....	do .....	13	
12	Apr. 28, 1875	John M. Marsh .....	do .....	0	Resigned February 21, 1877.
13	June 18, 1875	Benjamin H. Tatem ..	do .....	0	
14	July 19, 1875	Albert B. Knight .....	do .....	5	
15	Sept. 23, 1876	Edward B. Bonn-ell ..	do .....	0	Resigned February 21, 1877.
16	Nov. 24, 1876	Germaine A. Kellogg ..	do .....	0	
Total....		.....	.....	73	

ANDREW J. SMITH,  
Surveyor General, Montana.

F.—Statement showing the description of land for which township plats and descriptive lists have been furnished the Helena and Bozeman land offices during the fiscal year ending June 30, 1877.

HELENA LAND OFFICE, HELENA, MONTANA.

Number.	Township.	Range.	Area.	Duplicate plats, when transmitted.	Descriptive lists, when transmitted.
			<i>Acres.</i>		
1	7 north .....	16 east .....	22,955.87	Oct. 27, 1876	Oct. 27, 1876
2	8 north .....	16 east .....	22,959.72	do .....	do .....
3	4 south .....	16 west .....	14,723.32	Nov. 3, 1876	Nov. 3, 1876
4	5 south .....	15 west .....	22,992.54	do .....	do .....
5	7 north .....	17 east .....	22,953.22	Nov. 23, 1876	Nov. 23, 1876
6	7 north .....	18 east .....	22,954.59	do .....	do .....
7	3 north .....	17 east .....	23,053.34	do .....	do .....
8	14 south .....	6 west .....	23,020.16	Dec. 28, 1876	Dec. 28, 1876
9	14 south .....	7 west .....	12,096.58	do .....	do .....
10	13 south .....	5 west .....	10,904.68	Jan. 8, 1877	Jan. 8, 1877
11	14 south .....	4 west .....	16,311.40	do .....	do .....
12	14 south .....	5 west .....	16,128.06	do .....	do .....
13	2 south .....	9 west .....	6,680.00	Jan. 24, 1877	Jan. 24, 1877
14	1 south .....	9 west .....	8,116.74	do .....	do .....
15	1 north .....	9 west .....	12,517.84	do .....	do .....
16	2 north .....	9 west .....	12,184.74	do .....	do .....
17	4 north .....	9 west .....	4,821.39	do .....	do .....
18	4 north .....	11 west .....	2,783.10	do .....	do .....
19	5 north .....	11 west .....	2,798.37	do .....	do .....
20	10 north .....	1 east .....	16,182.76	Feb. 8, 1877	Feb. 8, 1877
21	12 south .....	9 west .....	11,579.58	Feb. 16, 1877	Feb. 16, 1877
22	12 south .....	10 west .....	8,250.60	do .....	do .....
23	13 south .....	7 west .....	3,338.24	do .....	do .....
24	13 south .....	8 west .....	8,720.74	do .....	do .....
25	13 south .....	9 west .....	16,857.68	do .....	do .....
26	14 south .....	8 west .....	6,375.07	do .....	do .....
27	14 south .....	9 west .....	2,284.48	do .....	do .....
28	7 north .....	19 east .....	22,942.06	May 17, 1877	May 17, 1877
29	7 north .....	20 east .....	22,931.04	do .....	do .....
30	8 north .....	18 east .....	23,020.90	June 15, 1877	June 15, 1877
31	8 north .....	19 east .....	23,073.87	do .....	do .....
32	8 north .....	20 east .....	23,145.28	do .....	do .....
33	7 north .....	15 east .....	22,975.03	do .....	do .....
34	3 north .....	9 west .....	13,113.44	June 29, 1877	June 29, 1877
35	3 north .....	8 west .....	21,289.57	do .....	do .....
36	2 north .....	8 west .....	8,594.08	do .....	do .....
37	2 north .....	7 west .....	7,551.72	do .....	do .....
38	3 north .....	7 west .....	7,181.78	do .....	do .....
39	4 north .....	7 west .....	3,954.00	do .....	do .....
40	7 north .....	13 east .....	6,236.84	July 5, 1877	July 5, 1877
41	7 north .....	14 east .....	22,976.51	do .....	do .....

## F.—Statement showing the description of land, &amp;c.—Continued.

## BOZEMAN LAND OFFICE, BOZEMAN, MONTANA.

Number.	Township.	Range.	Area.	Duplicate plats, when transmitted.	Descriptive lists, when transmitted.
			<i>Acres.</i>		
42	1 south .....	11 east .....	9,412.51	May 2, 1877	May 2, 1877
43	1 south .....	13 east .....	3,096.55	do .....	do .....
44	1 south .....	12 east .....	14,854.64	do .....	do .....
45	1 north .....	14 east .....	8,970.17	May 23, 1877	May 23, 1877
46	1 north .....	15 east .....	13,257.43	do .....	do .....
47	1 north .....	16 east .....	11,476.81	do .....	do .....
48	1 north .....	13 east .....	16,334.53	June 25, 1877	June 25, 1877
49	2 north .....	14 east .....	23,005.63	do .....	do .....
50	2 north .....	15 east .....	23,023.73	do .....	do .....
51	3 north .....	14 east .....	14,712.67	do .....	do .....
52	3 north .....	15 east .....	22,919.52	do .....	do .....
53	4 north .....	14 east .....	22,906.97	do .....	do .....
54	4 north .....	15 east .....	22,855.13	do .....	do .....

ANDREW J. SMITH,  
Surveyor General, Montana.

## G.—Statement showing the condition of the appropriation for the clerks in the office of the surveyor general of Montana for the fiscal year ending June 30, 1877.

DR.				CR.
1876.			1876.	
Sept. 30	To George F. Marsh, chief clerk .....	\$450 00	Aug. 15	By appropriation .....
30	To John M. Marsh, draughtsman .....	375 00		\$3,000 00
Dec. 31	To George F. Marsh, chief clerk .....	450 00		
31	To John M. Marsh, draughtsman .....	375 00		
1877.				
Mar. 31	To George F. Marsh, chief clerk .....	390 00		
31	To Edward B. Bonnell, chief clerk .....	60 00		
31	To John M. Marsh, draughtsman .....	375 00		
June 30	To Edward B. Bonnell, chief clerk .....	450 00		
30	To George F. Marsh, draughtsman .....	74 18		
30	To balance .....	82		
		3,000 00		3,000 00

ANDREW J. SMITH,  
Surveyor General, Montana.

## H.—Statement showing the condition of the appropriation for the salary of the surveyor general for Montana for the fiscal year ending June 30, 1877.

DR.				CR.
1876.			1876.	
Sept. 30	To Andrew J. Smith, first quarter .....	\$750 00	Aug. 15	By appropriation .....
Dec. 31	To Andrew J. Smith, second quarter .....	750 00		\$3,000 00
1877.				
Mar. 31	To Andrew J. Smith, third quarter .....	750 00		
June 30	To Andrew J. Smith, fourth quarter .....	750 00		
		3,000 00		3,000 00

ANDREW J. SMITH,  
Surveyor General, Montana.

I.—Statement showing condition of appropriations for incidental expenses for office of surveyor general for Montana for the fiscal year ending June 30, 1877.

DR.				CR.	
1876.			1876.		
Sept. 30	To Fisk Brothers, printing...	\$40 00	July 31	By appropriation .....	\$1,500 00
30	To Masters & Stone, printing	77 84	1877.		
30	To C. K. Wells, stationery	31 95	Mar. 3	By appropriation .....	400 00
30	To K. M. Smith, rent.....	225 00			
30	To George F. Marsh, incidentals .....	102 75			
30	To John E. Howard, messenger .....	50 54			
30	To C. K. Thurber, messenger .....	99 46			
Nov. 8	To D. McClellan, stationery..	15 00			
21	To George F. Marsh, wood .....	100 00			
Dec. 31	To K. M. Smith, rent.....	225 00			
31	To Charles K. Wells, stationery .....	31 95			
31	To George F. Marsh, incidentals .....	37 53			
1877.					
Mar. 31	To K. M. Smith, rent.....	225 00			
Apr. 3	To Charles K. Wells, stationery .....	77 25			
18	To Benjamin Franklin, cleaning office .....	20 00			
18	To James H. Mills, printing..	35 50			
24	To Fisk Brothers, printing..	40 00			
May 17	To Masters & Stone, printing	118 00			
22	To Charles Royler, messenger .....	61 32			
June 2	do .....	41 54			
30	To K. M. Smith, rent.....	194 85			
30	To Benjamin Franklin, messenger .....	46 15			
30	To Edward B. Bonnell, incidentals .....	3 32			
		1,900 00			1,900 00

ANDREW J. SMITH,  
Surveyor General, Montana.

J.—Statement showing the special deposits by individuals for the survey of public land, other than mineral, in Montana Territory, during the fiscal year ending June 30, 1877.

Name of deputy.	Date of deposit.	No. of certificate of deposit.	Name of depositor.	Field work.	Office work.	Location of work.
Benjamin F. Marsh.	1877. May 29	*79	Edward P. Smith..	\$2,500	.....	{ 1 mile subdivision line in township 10 north, range 1 east.
Do.....	May 29	78	.....do .....	\$2,500	.....	

\* Contract No. 75 not yet returned.

ANDREW J. SMITH,  
Surveyor General, Montana.

K.—Statement showing the number of plats made in the United States surveyor general's office for Montana for the fiscal year ending June 30, 1877.

Description.	Original.	Department.	Local land office.	Posting.	Skeleton.	Total.
Plats of standard lines.....	11	11	9	.....	.....	22
Plats of township lines .....	1	1	.....	.....	.....	2
Plats of subdivision lines .....	54	54	54	.....	.....	162
Plats of mineral claims .....	73	73	73	80	7	306
Plats for deputy surveyors .....	.....	.....	.....	.....	15	15
Plats (supplementary) showing location of mineral claims.....	18	18	18	.....	.....	54
Plats showing location of contracts .....	8	8	.....	.....	.....	16
Plats, tracings of .....	.....	.....	.....	.....	12	12
Total.....	.....	.....	.....	.....	.....	580

ANDREW J. SMITH,  
Surveyor General, Montana.

L.—Statement showing the number of acres of public land surveyed in Montana Territory since the inception of surveys to June 30, 1877.

	Acres.
Number of acres surveyed to June 30, 1875 .....	8, 854, 741. 74
Number of acres surveyed during fiscal year ending June 30, 1877 .....	790, 359. 42
Number of acres surveyed (mineral land) on unsurveyed land, June 30, 1877 .....	1, 165. 35
Total number of acres surveyed to June 30, 1877 .....	9, 646, 266. 51

ANDREW J. SMITH,  
Surveyor General, Montana.

M.—Statement showing the number of linear miles run, the rate per mile, and the total cost of surveys, in the Territory of Montana during the fiscal year ending June 30, 1877.

Description.	Distance.			Rate per mile.	Amount.
	Miles.	Chains.	Links.		
Base line .....	1.	15	62	\$10	\$191 95
Meridian lines .....	60	0	40	10	600 04
Standard lines .....	18	0	0	10	180 00
Township lines .....	402	75	41	7	2, 820 60
Section lines .....	2, 125	27	46	6	12, 752 06
Meander lines .....	46	78	85	6	281 91
Office and incidental expenses .....					7, 899 18
Total cost of surveys .....					24, 725 74

ANDREW J. SMITH,  
Surveyor General, Montana.

N.—Statement giving names, nativity, &c., of the surveyor general and employes in his office at Helena, Mont., during the fiscal year ending June 30, 1877.

Names.	Occupation.	Nativity.	Whence appointed.	Salary.	When appointed.	Remarks.
Andrew J. Smith ..	Surveyor general	New York ..	New York ..	\$3, 000	Dec. 18, 1873	
George F. Marsh ..	Chief clerk .....	Vermont ..	Montana ..	1, 800	May 21, 1874	*Mar. 19, 1877
Do .....	Draughtsman .....	do .....	do .....	1, 500	June 13, 1877	
Edward B. Bonnell ..	Chief clerk .....	New York ..	do .....	1, 800	Mar. 20, 1877	
Do .....	Mineral clerk .....	do .....	do .....	1, 500	Apr. 1, 1876	†Mar. 20, 1877
John M. Marsh .....	Draughtsman .....	Indiana ..	do .....	1, 500	Apr. 1, 1876	†Apr. 1, 1877
K. M. Smith .....	Clerk .....	New York ..	do .....	1, 500	Aug. 21, 1874	
L. O. Marsh .....	do .....	Iowa .....	do .....	1, 500	July 1, 1876	§Sept. 30, 1876
John E. Howard .....	Messenger .....	England ..	do .....	600	Jan. 1, 1876	§July 31, 1876
C. K. Thurber .....	do .....	New York ..	do .....	600	Aug. 1, 1876	§Sept. 30, 1876
Charles Raylor .....	do .....	Wisconsin ..	do .....	720	Apr. 11, 1877	§June 2, 1877
Benjamin Franklin ..	do .....	Virginia ..	do .....	600	June 3, 1877	

\* Resigned.

† Appointed chief clerk.

‡ Appointed mineral clerk.

§ Discharged.

ANDREW J. SMITH,  
Surveyor General, Montana.

O.—Estimate for surveying services and office expenses in the district of Montana, for the fiscal year ending June 30, 1879.

For surveying 50 miles base line, at \$15 .....	\$750
For surveying 300 miles standard, at \$15 .....	4, 500
For surveying 100 miles meridian, at \$15 .....	1, 500
For surveying 1,060 miles township lines, at \$12 .....	12, 960
For surveying 5,400 miles section lines, at \$10 .....	54, 000
For surveying 300 miles meander lines, at \$10 .....	3, 000
For surveying mountain timber land, at rates not exceeding \$20 for standard, \$18 for township, and \$15 for section lines .....	30, 000



## Office expenses:

For compensation of surveyor general.....	\$3,000
For compensation of chief clerk.....	1,800
For compensation of chief draughtsman.....	1,500
For compensation of assistant draughtsman.....	1,500
For compensation of 4 clerks, at \$1,500.....	6,000
Incidental expenses, messenger, rent, fuel, &c.....	3,500
For mounting and binding 600 maps.....	300
For binding 1,500 field-note books.....	500
For furniture to accommodate records.....	200
Total .....	125,010

ANDREW J. SMITH,  
Surveyor General, Montana.

*J.—Report of the surveyor general of Idaho.*

SURVEYOR GENERAL'S OFFICE,  
Boise City, Idaho, August 16, 1877.

SIR: In compliance with your instructions, I have the honor to submit my annual report, in duplicate, for the fiscal year ending June 30, 1877, together with the usual tabular statements relating thereto.

A.—Estimate of expenses incidental to the survey of public lands in Idaho for the fiscal year ending June 30, 1879.

B.—Statement of expenditure of appropriation for compensation of surveyor general and clerks in his office for the fiscal year ending June 30, 1877.

C.—Statement of incidental and office expenses for the fiscal year ending June 30, 1877.

D.—Statement of expenditure of appropriation for surveys for the fiscal year ending June 30, 1877.

E.—Statement of original maps and copies transmitted to the General Land Office and to the district office since my last report.

F.—Statement showing the condition of contracts entered into since June 30, 1876.

G.—Statement of descriptive-list sent to local land office since the date of my last report.

H.—Tabular list of townships surveyed since the date of my last report, showing the areas of the public lands.

I.—Statement of applications for the survey of mineral lands and mill sites for the fiscal year ending June 30, 1877.

J.—Statement of amount deposited with United States Assistant Treasurer for office work for mineral claims in Idaho for the fiscal year ending June 30, 1877.

K.—Names, nativity, &c., of surveyor general, clerks, &c., for the fiscal year ending June 30, 1877.

Owing to the late date this office received instructions as to the appropriations for the fiscal year just closed, it was impossible for the deputies to make their surveys last fall, and they are just closing the work that should have been done last summer, had the appropriations been made available earlier. And, in this connection, again, let me call your attention to the fact that surveys made in the early part of the season are *more lasting* and can be done at less expense to the deputy than those made in the fall; hence, it is economy to both the government and the deputy to make the appropriations available as early in the season as possible. I again call your attention to some portions of my last report, for our friends in the Eastern States do not fully appreciate the importance of the suggestions made, and they openly say that our "sage-brush lands" are worthless and that they should not be surveyed. This, taken in general terms, is a great mistake. There are portions of the "sage brush lands" that are rocky and high and only suited to grazing purposes, and in this surveying district these sections have uniformly been omitted in making the surveys, so far as it was possible to do. On the other hand, there are immense tracts of "sage brush land" that only await irrigating canals to make them as productive as most lands in the Western States, yielding their forty bushels of wheat per acre, as our people have often demonstrated by actual experiment.

It is an arrant humbug to talk of keeping these lands for the actual settler under the homestead and pre-emption laws, and in my judgment the safest way would be to dispose of the lands in large tracts, that would warrant the owners in constructing

large canals or irrigating ditches, or allowing companies to be formed, granting them all the land they irrigated or covered by their canals at a small price per acre, not above the price now fixed by law for pre-emption claims; and I am fully persuaded that the most intelligent persons who are acquainted with the productiveness of the "sage brush lands" would indorse these suggestions. These canals would cost the expenditure of large sums of money that no man could afford to make for isolated farms.

Your especial attention is called to the timber lands, and I most respectfully urge the necessity of some law by Congress for their disposal. There are large tracts of mountainous districts valuable only for minerals and timber. The disposal of the former has been provided for, but not so with the latter.

The timber regions, as a rule, are not suitable for settlement under the homestead and pre-emption laws, and the laws should be so modified as to place them upon the market, say in small tracts of eighty or one hundred and sixty acres, to any person wishing to purchase. If these timber lands were in the hands of a large number of persons, the general interest would be to prevent destructive fires and the fearful waste and destruction of timber now going on, the government would realize the value of the lands, and the Territory would be greatly benefited.

Until some changes are made in the land laws, providing for the sale of these table lands in unlimited quantities, they will remain unoccupied for all time, or until Congress shall adopt this or some similar plan.

The desert land bill only covers the case in part and then by evading its spirit, for the money to make the canals under the law has to be furnished by capitalists, and the men filing under the desert land laws are doing it for others. Why not make the law so that men can openly and squarely buy all the land they want, and without any restrictions? They, of course, will see to it that canals are built to irrigate and make it available for sale to settlers. It might be well to limit the time of these sales until three years after the survey shall have been made, thus retaining the land three years for the preference of actual settlers under the pre-emption and homestead laws, and this is certainly long enough to keep millions of acres of land idle waiting for some one without a dollar to come and "settle."

I have no patience with the present policy of retaining millions of acres for pre-emption and homestead claimants, when from the situation of these lands they never can be made available by *bona fide* settlers under existing laws. Let the lands be sold, and let these Western Territories improve and settle up. Under existing laws only lands that can be irrigated by a few weeks' work in digging a small ditch will be located, while thousands of acres must and will lie idle until the laws are changed.

It will be seen from our tables that the office work is up to date, and that all expenses have been kept within the appropriations, and in some instances quite a balance in our favor. No part of the amount deposited for clerk hire has been used, the work having been done by the regular clerks. The appropriation for clerk hire at the last session of Congress is not sufficient, should the appropriation for surveys be as large as the prospective requirement demands.

There are large tracts of excellent lands in the eastern portion of the Territory that, from present indications, will be settled as soon as surveyed, and thousands of acres would be sold at once if the land laws should be changed as suggested.

The present rates of surveying are insufficient for surveying, and they should be fixed at about the rates submitted in my estimates.

I am, very respectfully, your obedient servant,

L. F. CARTÉE,  
Surveyor General of Idaho.

Hon. J. A. WILLIAMSON,  
Commissioner General Land Office.

A.—*Estimate of expenses incidental of the survey of the public lands in Idaho for the fiscal year ending June 30, 1879.*

OFFICE EXPENSES.

For salary of surveyor general .....	\$3,000 00	
For salary of clerks .....	4,000 00	
For rent of office, messenger, fuel, books, and other expenses .....	2,000 00	
		<u>\$9,000 00</u>

SURVEYING SERVICE.

For surveying 100 miles standard lines, timber and mountains, at \$15 .....	1,500 00
For surveying 100 miles standard lines, at \$13 .....	1,300 00
For surveying 72 miles exterior lines, timber and mountains, at \$15 .....	1,080 00

For surveying 600 miles subdivision lines, timber and mountains, at \$12 .....	\$7,200 00	
For surveying 480 miles exterior lines, 40 townships, at \$12..	5,760 00	
For surveying 1,800 miles subdivision lines, 30 townships, at \$10.....	18,000 00	
		\$34,840 00
		43,840 00

*B.—Statement of expenditure of appropriation for compensation of surveyor general and clerks for his office, for the fiscal year ending June 30, 1877.*

DR.				CR.	
1876	To amount expended 3d quarter.	\$1,500 00	1876	By appropriation of August 15, as advised by letter from department of August 23.....	\$6,000 00
1876	To amount expended 4th quarter.	1,500 00			
1877	To amount expended 1st quarter.	1,500 00			
1877	To amount expended 2d quarter.	1,368 20	1876	By second section of act of August 15, as advised by letter from department of June 30, 1877.....	122 28
	To balance.....	254 08			
		6,122 28			6,122 28

*C.—Statement of incidental and office expenses for the fiscal year ending June 30, 1877.*

DR.				CR.	
1876	To amount expended 3d quarter ..	\$375 00	1876	By appropriation of July 31, as advised by letter from department of August 23.....	\$1,500 00
1876	To amount expended 4th quarter ..	375 00			
1877	To amount expended 1st quarter ..	387 25			
1877	To amount expended 2d quarter ..	359 38			
	To balance .....	3 37			
		1,500 00			1,500 00

*D.—Statement of the expenditure of the appropriation for the fiscal year ending June 30, 1877.*

DR.				CR.	
1876	To amount reported for payment on contract No. 66, to Allen M. Thompson .....	\$719 48	1876	By appropriation of July 31, as advised by letter from department of August 23.....	\$13,500 00
1877	.....do .....	721 39			
	To balance.....	12,059 13			
		13,500 00			13,500 00

*E.—Statement of original maps and copies transmitted to the General Land Office and to the district office since my last report.*

Descriptive plats.	Original.	General Land Office.	District office.	Total.	When transmitted to the General Land Office.	When transmitted to the district office.
Township 12 north, range 4 west.....	1	1	1	3	Nov. 13, 1876	Nov. 13, 1876
Township 12 north, range 5 west.....	1	1	1	3	Nov. 13, 1876	Nov. 13, 1876
Township 9 north, range 3 west.....	1	1	1	3	May 23, 1877	May 23, 1877
Township 9 north, range 4 west.....	1	1	1	3	May 23, 1877	May 23, 1877

## F.—Statement showing the condition of contracts entered into since June 30, 1876.

Number of contract.	Name of deputy.	Date of contract.	Character, amount, and locality of work.	Remarks.
66	Allen M. Thompson...	Sept. 11, 1876	Fourth standard parallel north through range 1 west. Exterior lines and subdivisions of townships 16 and 17 north, range 1 west, and subdivisions of township 12 north, ranges 4 and 5 west.	Surveys completed and notes returned and approved and plats and transcripts transmitted. NOTE.—Subdivisions of township 9 north, ranges 3 and 4 west, substituted for townships 16 and 17 north, range 1 west.
67	John B. David .....	Oct. 23, 1876	Extend the base line east to the east boundary of Idaho Territory. Exterior and subdivisions of townships 1 and 2 south, ranges 35 and 36 east, and townships 1 north and 1 and 2 south, ranges 37 and 38 east.	Notes returned and approved. Plats and transcripts not completed. NOTE.—Township 1 south, range 35 east, not surveyed.
68	John B. David .....	Jan. 4, 1877	Exterior lines of townships 11 and 12 south, ranges 33 and 34 east; of townships 13, 14, 15, and 16 south, ranges 31, 32, and 33 east, and subdivision lines of townships 11 and 12 south, ranges 33 and 34 east, and township 13 south, range 33 east, and townships 14 and 15 south, ranges 31 and 32 east, and fractional townships 16 south, ranges 30, 31, and 32 east.	Deputy en route to locality.
70	Allen M. Thompson...	June 19, 1877	Exterior lines of townships 3, 4, 5, and 6 south, ranges 14, 15, and 16 east, and subdivisions of townships 6 south, ranges 12, 13, and 14 east, and townships 4 and 5 south, range 15 east, and townships 3 and 4 south, range 16 east.	Deputy in the field.

## G.—Statement of descriptive list sent to local land office since the date of my last report.

Township.	Range.	Date when transmitted.
12 north .....	4 west .....	June 30, 1877.
12 north .....	5 west .....	Do.
9 north .....	3 west .....	Do.
9 north .....	4 west .....	Do.

## H.—Tabular statement of townships surveyed since the date of my last report, showing the areas of the public lands.

No. of townships surveyed.	Townships.	Range.	Area of public land.
1	12 north .....	4 west .....	22,997.30
2	12 north .....	5 west .....	22,992.62
3	9 north .....	3 west .....	23,006.90
4	9 north .....	4 west .....	23,114.39
Total area .....			93,111.21
334 townships previously reported .....			5,463,541.34
38 townships previously reported of Indian reservations .....			463,182.24
Total acres surveyed .....			6,018,834.79

*I.—Statement of application for the survey of mineral lands and mill sites for the fiscal year ending June 30, 1877.*

Name of mine.	Mining district.	County.	Character.
Eldorado Quartz .....	Lemhi .....	Lemhi .....	Gold and silver.
Ranger Quartz .....	do .....	do .....	Do.
Joe Derrley mine .....	Middle Boise .....	Alturas .....	Do.
Two mill sites for Monarch Gold and Silver Mining Company. ....	do .....	do .....	Do.
Chapman Placer mine .....	do .....	do .....	Gold.

*J.—Statement of amount deposited with United States assistant treasurer for office work for mineral claims in Idaho for the fiscal year ending June 30, 1877.*

Date of deposit.	Name of depositor.	Amount.	Name of mine.	Where located.
Sept. 16, 1876	Pascal C. Burke .....	\$29 00	Eldorado .....	Lemhi County.
Sept. 16, 1876	do .....	29 00	Ranger .....	Do.
Mar. 30, 1877	L. M. Chapman .....	29 00	Chapman Placer mine.	Alturas County.
		87 00		

*K.—Names, nativity, &c. of surveyor general, clerks, &c., for the fiscal year ending June 30 1877.*

Names.	Occupation.	Nativity.	Whence appointed.	Time of service.	Amount.
La Fayette Cartee .....	Surveyor general .....	New York ..	Idaho .....	Entire year ..	\$3,000 00
William P. Thompson .....	Chief clerk .....	do .....	do .....	11 months and 5 days.	1,536 67
Theophilus W. Randall .....	Draughtsman .....	England .....	do .....	8 months .....	880 33
Ross Cartee .....	do .....	Oregon .....	do .....	4 months .....	451 20
Thomas Conroy .....	Messenger .....	Ireland .....	do .....	Entire year ..	600 00
					6,468 20

*K.—Report of the surveyor general of Utah.*

UNITED STATES SURVEYOR GENERAL'S OFFICE,  
Salt Lake City, Utah, September 3, 1877.

SIR: In compliance with instructions contained in your letter E, of April 3, 1877, I have the honor to transmit herewith my annual report, with accompanying tabular statements in duplicate, of the surveying operations in this district for the year ending June 30, 1877.

A.—Statement showing condition of surveys of public lands contracted for during the fiscal year ending June 30, 1877.

B.—Statement of public lands surveyed in Utah during the fiscal year ending June 30, 1877.

C.—Statement showing the description of land for which township plats and descriptive lists have been furnished the local land office at Salt Lake City and Beaver City during the fiscal year ending June 30, 1877.

D.—Statement of special deposits made by individuals for the survey of public lands in Utah for the fiscal year ending June 30, 1877.

E.—Statement of special deposits made for office work in the survey of mining claims for the fiscal year ending June 30, 1877.

F.—Statement showing condition of appropriation for incidental expenses for office of surveyor general of Utah for the fiscal year ending June 30, 1877.

G.—Statement showing condition of appropriation for salaries of surveyor general and clerks in his office.

H.—Statement showing condition of special deposits for office work in the office of the surveyor general for Utah for the fiscal year ending June 30, 1877.

I.—Statement showing number of plats made during the year.

J.—Estimate of appropriation required for the surveying service in Utah for the fiscal year ending June 30, 1879.

K.—Statement of public lands surveyed in Utah up to June 30, 1877.

L.—Statement showing number of miles run, rate per mile, and total cost of surveys as returned in Utah for fiscal year ending June 30, 1877.

M.—Statement of condition of appropriation for surveys of public lands in Utah for fiscal year ending June 30, 1877.

Map of Utah Territory, showing the extent of public surveys.

The estimate for the surveying service in this Territory is submitted as being just and reasonable, and the appropriation to be made should not be for less than the amount asked for.

#### SURVEYS DURING THE YEAR.

The operations of the surveying service in this district embrace agricultural, grazing, and mineral lands.

Ninety-six townships were surveyed, embracing 881,483.17 acres of agricultural and grazing lands, 64,137.56 acres of mineral and coal lands, making a total area of 1,010,009.32 acres.

The resurveys, as shown in statement "B," embracing an area of 64,388.59 acres, executed by Andrew J. Stewart, sr., under contract No. 66, were not approved, but appear on returned subdivision plats, as per instructions from the department.

The number of acres of public lands disposed of at the local and office at Salt Lake City for the fiscal year were—

	Acres.
Homestead entries.....	57,090.85
Final homestead entries.....	28,531.61
Cash entries.....	11,390.33
Agricultural college scrip.....	160
Valentine scrip.....	160
Military land warrants.....	160
Timber culture.....	418.50
Desert land.....	42,652.94
Mineral lands.....	443.2735
Coal lands.....	480
Total.....	132,488.2735

#### OFFICE WORK.

There were made in this office during the year 252 plats of public land surveys, 335 plats of mining claims, and 210 transcripts of field notes.

#### AGRICULTURE.

The percentage of increase of land under cultivation over that heretofore reported is about 30 per cent., making an aggregate of about 339,970 acres, while the average yield per acre shows a gratifying increase over former years.

Notwithstanding the opinion of many who deem our lands "arid, desert, and worthless," those same lands under proper tillage produce forty to fifty bushels of wheat, seventy to eighty bushels of oats and barley, and from two hundred to four hundred bushels of potatoes to the acre, and fruits and vegetables equal to any other Territory or State in quantity and quality. Our plains and mountains feed and fatten many thousands of cattle and sheep from their rich and nutritious grasses. Utah is rich in her agricultural and grazing lands as well as in her

#### MINERAL RESOURCES,

which are inexhaustible in silver, copper, lead, iron, coal, sulphur, and an abundant deposit of gold.

The development of the mines of Utah shows an abundant increase in quantity and quality of all classes of ore. Our coal produces the best quality of coke, equal, if not superior, to the best quality of Pennsylvania.

#### RAILROADS.

Although no new enterprises have been started, the old lines are being extended to different and distant parts of the Territory and into the mining camps.

In regard to the disposition and sale of the public lands, I renew my suggestion made in my last and preceding report, (see page 278 of the printed Report of the General Land Office for the year 1876,) adding that Congress should at once make some provision for the sale of the timbered lands. The timber of this country is valuable



and should be protected from the despoilers who are annually robbing the government and citizens to the value of millions of dollars.

Let Congress make provision for the sale for cash of the timbered lands and remove the restrictions to acquiring title to public lands in the Territories, and millions of acres of the so-called "desert, arid, and worthless lands" would be sold for cash, and the "arid and desert" places would become the homes and paradise of thousands.

Very respectfully submitted.

NATHAN KIMBALL,  
Surveyor General of Utah,

Hon. J. A. WILLIAMSON,  
Commissioner General Land Office, Washington, D. C.

A.—Statement showing condition of surveys of public lands contracted for in Utah during the fiscal year ending June 30, 1877.

Contract.		Survey.	Name of deputy.	Extent.	Cost.
No.	Date.				
66	Oct. 14, 1875	Offset for Salt Lake meridian from corner to sections 7, 12, 13, and 18, township 7 north, between ranges 1 and 2 west; north between sections 7 and 12; thence west between sections 2 and 3, in township 7 north, range 2 west; thence north between sections 34 and 35, 26 and 27, 22 and 23, 14 and 15, 10 and 11, in township 8 north, range 2 west; thence Salt Lake meridian from corner to townships 10 and 11 north, through townships 11, 12, 13, 14, and 15 north.	And. J. Stewart, sr.	<i>M. chs. lks</i> 33 46 50	\$503 72
		Third standard parallel north from corner to townships 12 and 13 north; east through range 1 east; thence from said corner west through ranges 1 and 2 west.	....do .....	18 00 00	270 00
		Exterior boundaries of townships 8 north, range 2 west; 9 north, range 1 east; 10 north, range 1 east and 1 west; 12 north, range 1 east; 13 north, range 1 east, and 1, 2, and 3 west; 14 north, ranges 1 and 2 west; and 15 north, ranges 1 and 3 west.	....do .....	98 52 94	1,183 94
		Subdivisions of townships 8 north, range 2 west; 9 and 10 north, ranges 1 east and 1 west; 12 north, range 1 east; 13 north, range 1 east, and ranges 1, 2, and 3 west; 14 north, ranges 1 and 2 west; and 15 north, ranges 1 and 3 west.	....do .....	409 63 73	4,097 97
		Meanders of township 8 north, range 2 west.	.....	3 47 30	35 91
71	May 24, 1876	Exterior boundaries of township 13 south, range 7 east.	J. Fewson Smith ..	23 77 74	287 66
		Subdivisions of townships 13 and 14 south, range 7 east.	....do .....	38 69 26	388 66
72	Aug. 1, 1876	Subdivisions of township 2 south, range 4 east.	Charles P. Brooks	6 00 50	60 06
73	Sept. 4, 1876	Salt Lake meridian from corner to sections 25 and 30, township 42 south; south through townships 42 and 43 south, to corner, to sections 13 and 18.	Bailey & Burrill...	113 38 75	1,348 29 <sup>00</sup>
		Frémont Valley guide meridian from corner to townships 28 and 29 south, ranges 2 and 3 east; north through townships 28, 27, and 26 south.	....do .....		
		Emery Valley guide meridian from corner to townships 36 and 37 south, ranges 3 and 4 west; north through townships 36 and 35 south; thence from corner to townships 34 and 35 south, between ranges 2 and 3 west; north through township 34 south; thence from corner to townships 33 and 34 south, between ranges 1 and 2 west; north through townships 32 and 33 south.	....do .....		



## A.—Statement showing condition of surveys of public lands, &amp;c.—Continued.

Contract.		Survey.	Name of deputy.	Extent.	Cost.
No.	Date.				
		Panquitch and Kanab guide meridian from corner to townships 37 and 38 south, ranges 5 and 6 west; south through townships 38, 39, 40, 41, 42, 43, and 44 south.	Bailey & Burrill ..	<i>M. chs. lks.</i>	.....
		Pine Valley guide meridian from corner to sections 1, 6, 7, and 12, township 39 south, between ranges 15 and 16 west; south, between sections 7, 12, 13, and 18; thence from corner to townships 39 and 40 south, ranges 15 and 16 west; south through townships 40, 41, and 42; south to corner to sections 19, 24, 25, and 30.	do .....		.....
		Fifth standard parallel south between townships 25 and 26 south, range 1 east; east through ranges 1 and 2 east.	do .....	87 00 00	\$1,063 55
		Seventh standard parallel south, between townships 35 and 36 south, range 3 west; west through ranges 3 and 4 west.	do .....		.....
		Eighth standard parallel south, from $\frac{1}{2}$ section corner on south boundary, section 34 west, to section corner between sections 33 and 34, in range 1 west; thence from corner to sections 35 and 36; west to corner to sections 34 and 35, range 2 west; thence through ranges 4 $\frac{1}{2}$ , 5, 6, and 7 west; thence from corner to sections 32 and 33, range 11 west; west to corner between ranges 11 and 12 west; thence from section corner between sections 35 and 36 west to $\frac{1}{2}$ section corner on south boundary of section 35, range 13 west; and thence from corner between ranges 13 and 14 west; west to section corner between sections 35 and 36, range 14 west; and thence from corner between sections 33 and 34 in range 15 west, west through ranges 15 and 16 west.	do .....		.....
		Ninth special standard parallel south, from southeast corner to section 10, township 44 south, range 3 west; west through ranges 3, 4, 4 $\frac{1}{2}$ , 5, 6, and 7 west.	do .....		.....
		Exterior boundaries of townships 25 south, range 2 east; 28 south, ranges 2 and 3 east; 29 south, range 3 east; 32 south, range 2 west; 33 south, range 2 west; 34 south, ranges 2 and 3 west; 35 south, ranges 3 and 4 west; 36 south, range 4 west; 39 south, ranges 5, 15, and 16 west; 40 south, ranges 5, 6, 16, and 17 west; 41 south, ranges 2, 5, 12, and 13 west; 42 south, range 1 east, and ranges 1, 2, 3, 5, 10, 11, and 13 west; 43 south, ranges 1 and 2 east, and ranges 1, 3, 4, 4 $\frac{1}{2}$ , and 5 west; and 44 south, ranges 4, 4 $\frac{1}{2}$ , 5, and 6 west.	do .....	259 39 25	1,816 45
		Subdivisions of townships 25 south, range 2 east; 27 south, ranges 2 and 3 east; 28 south, ranges 2 and 3 east; and 29 south, range 3 east; 31 and 32 south, range 2 west; 33 and 34 south, ranges 2 and 3 west; 35 south, ranges 2, 3, and 4 west; 36 south, ranges 3 and 4 west; 39 south, ranges 5, 6, 15, 16, and 17 west; 40 south, ranges 4 $\frac{1}{2}$ , 5, 6, 7, 13, 16, and 17 west; 41 south, ranges 1, 2, 4 $\frac{1}{2}$ , 5, 6, 7, 10, 11, 12, 13, 14, 15, and 16 west; 42 south, range 1 east, and ranges 1, 2, 3, 4, 5, 10, 11, 12, and 13 west; 43 south, ranges 1 and 2 east, and ranges 1, 2, 3, 4, 4 $\frac{1}{2}$ , 5, and 6 west; and 44 south, ranges 3, 4, 4 $\frac{1}{2}$ , 5, 6, and 7 west.	do .....	1,596 12 92	9,576 96

## A.—Statement showing condition of surveys of public lands, &amp;c.—Continued.

Contract.		Survey.	Name of deputy.	Extent.	Cost.
No.	Date.				
74	Sept. 4, 1876	Second guide meridian south; south from $\frac{1}{2}$ section corner between sections 31 and 36, township 6 south, between ranges 10 and 11 west; south through townships 6, 7, 8, 9, and 10 south; thence from $\frac{1}{2}$ section corner between sections 1 and 6, township 11 south, between ranges 8 and 9 west, south through townships 11, 12, 13, and 14 south. Exterior boundaries of townships 6 south, range 7 west; 7 south, ranges 7, 8, and 10 west; 8 south, ranges 7, 10, 11, 12, and 13 west; 9 south, ranges 10, 11, and 12 west; 10 south, range 10 west; 11, 12, and 13 south, range 8 west. Subdivisions of township 6 south, range 7 west; 7 south, ranges 7 and 8 west; 8 south, ranges 7, 8, and 10 west; 9 south, ranges 10, 11, and 12 west; 10 south, range 10 west; 11 and 12 south, range 8 west.	Joseph and William A. Gorlinski.	<i>M. chs. lks.</i> 48 00 00	\$480 00
			....do .....	126 57 18	887 00
			....do .....	594 52 70	3,567 95
		Total.....		3,457 78 77	25,568 12

NATHAN KIMBALL,  
Surveyor General for Utah.

## B.—Statement of public lands surveyed in Utah during the fiscal year ending June 30, 1877.

Number.	Township.	Range.	Agricultural, resurveyed	Agricultural, public lands.	Returned as mineral land.	Returned as coal land.	Total.	Remarks.
			<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	
1	7 north ..	2 west ...	960.36	321.30			1,281.66	Additional.
2	8 north ..	2 west ...	3,738.80	2,353.46			6,092.26	Do.
3	9 north ..	1 east ....		15,203.45			15,203.45	
4	9 north ..	1 west ....		640.64			640.64	
5	10 north ..	1 east ....	8,122.30	13,324.81			21,447.11	Additional.
6	10 north ..	1 west ....	6,040.00	8,840.38			14,880.38	Do.
7	12 north ..	1 east ....	16,284.67	5,799.82			22,084.49	Do.
8	13 north ..	1 east ....	14,521.40	7,879.79			22,401.19	Do.
9	13 north ..	1 west ....		23,049.37			23,049.37	
10	13 north ..	2 west ....	4,401.76	17,351.17			21,752.93	Do.
11	13 north ..	3 west ....	920.00	440.58			1,360.58	Do.
12	14 north ..	1 west ....	9,399.30	13,608.69			23,007.99	Do.
13	14 north ..	2 west ....		16,484.42			16,484.42	
14	15 north ..	1 west ....		2,229.60			2,229.60	
*15	15 north ..	3 west ....		1,877.79			1,877.79	
16	2 south ..	4 east ....		720.00	80.00		800.00	Additional.
17	6 south ..	7 west ....		16,485.77			16,485.77	
18	7 south ..	7 west ....		16,571.18			16,571.18	
19	7 south ..	8 west ....		22,821.13			22,821.13	
20	7 south ..	10 west ....		160.00			160.00	
21	8 south ..	7 west ....		19,829.00			19,829.00	Additional.
22	8 south ..	8 west ....		6,721.36			6,721.36	Do.
23	8 south ..	10 west ....		22,987.36			22,987.36	
24	8 south ..	11 west ....		160.00			160.00	
25	8 south ..	12 west ....		160.00			160.00	
26	9 south ..	10 west ....		25,004.80			25,004.80	
27	9 south ..	11 west ....		13,918.08			13,918.08	
28	9 south ..	12 west ....		12,311.20			12,311.20	
29	10 south ..	10 west ....		23,035.68			23,035.68	
30	11 south ..	8 west ....		18,870.20			18,870.20	
31	12 south ..	8 west ....		22,878.83			22,878.83	Additional.
32	13 south ..	7 east ....		9,890.35		2,226.59	12,116.94	
33	13 south ..	8 west ....		160.00			160.00	
34	14 south ..	7 east ....		1,705.05		519.81	2,224.86	

\*Triplicate plats for townships Nos. 1 to 15, inclusive, unfinished.

## B.—Statement of public lands surveyed in Utah, &amp;c.—Continued.

Number.	Township.	Range.	Agricultural resurveyed.	Agricultural public land	Returned as mineral land.	Returned as coal land.	Total.	Remarks.
			<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	
35	14 south	8 west		160.00			160.00	
36	25 south	2 east		2,890.00			2,890.00	
37	27 south	2 east		4,160.00			4,160.00	
38	27 south	3 east		10,344.70			10,344.70	
39	28 south	2 east		4,962.61			4,962.61	
40	28 south	3 east		16,103.75			16,103.75	
41	29 south	3 east		5,298.72			5,298.72	
42	31 south	2 west		320.00			320.00	
43	32 south	2 west		8,160.00			8,160.00	
44	33 south	2 west		22,953.86			22,953.86	
45	33 south	3 west		3,520.00			3,520.00	
46	34 south	2 west		19,007.08			19,007.08	
47	34 south	3 west		14,721.60			14,721.60	
48	35 south	2 west		4,954.08			4,954.08	
49	35 south	3 west		21,921.81			21,921.81	
50	35 south	4 west		19,360.00			19,360.00	
51	36 south	3 west		7,269.94			7,269.94	
52	36 south	4 west		19,042.56			19,042.56	
53	39 south	5 west		7,005.05			7,005.05	
54	39 south	6 west		5,680.00		720.00	6,400.00	
55	39 south	15 west		4,160.00			4,160.00	
56	39 south	16 west		13,917.58			13,917.58	
57	39 south	17 west		2,560.00			2,560.00	
58	40 south	4½ west		1,796.80	920.00		2,716.80	
59	40 south	5 west		10,716.50		5,114.98	15,831.48	
60	40 south	6 west		6,880.00		9,440.00	16,320.00	
61	40 south	7 west		5,920.00			5,920.00	
62	40 south	13 west		800.00			800.00	
63	40 south	16 west		23,011.22			23,011.22	
64	40 south	17 west		7,040.80			7,040.80	
65	41 south	1 west		3,520.00		640.00	4,160.00	
66	41 south	2 west		8,800.00	320.00		9,120.00	
67	41 south	4½ west		5,736.52			5,736.52	
68	41 south	5 west			999.64	11,082.39	12,082.03	
69	41 south	6 west				6,554.36	6,554.36	
70	41 south	7 west		2,856.65	365.72	2,766.22	6,008.59	
71	41 south	10 west		1,920.00			1,920.00	
72	41 south	11 west		2,400.00			2,400.00	
73	41 south	12 west		12,202.24			12,202.00	
74	41 south	13 west		5,478.22	800.00		6,278.22	
75	41 south	14 west			3,680.00		3,680.00	
76	41 south	15 west		4,651.57			4,651.57	
77	41 south	16 west		3,200.38			3,200.38	
78	42 south	1 east		5,440.00			5,440.00	
79	42 south	1 west		3,600.00		13,048.96	16,648.96	
80	42 south	2 west		22,983.98			22,983.98	
81	42 south	3 west		12,800.08	2,720.24		15,520.32	
82	44 south	4 west		2,400.00			2,400.00	
83	42 south	5 west		5,440.00			5,440.00	
84	42 south	10 west		2,400.00			2,400.00	
85	42 south	11 west		4,160.00			4,160.00	
86	42 south	12 west		3,201.60			3,201.60	
87	42 south	13 west		4,160.48			4,160.48	
88	43 south	1 east		18,083.20			18,083.20	
89	43 south	2 east		5,283.20			5,283.20	
90	43 south	1 west		4,963.84			4,963.84	
91	43 south	3 west		18,688.70	1,958.65		20,647.35	
92	43 south	4 west		18,721.60			18,721.60	
93	43 south	4½ west		6,879.20			6,879.20	
94	43 south	5 west		9,440.00			9,440.00	
95	43 south	6 west		6,240.00			6,240.00	
96	44 south	3 west		5,119.95			5,119.95	
97	44 south	4 west		7,685.50			7,685.50	
98	44 south	4½ west		5,122.40			5,122.40	
99	44 south	5 west		7,677.56			7,677.56	
100	44 south	6 west		7,682.18			7,682.18	
101	44 south	7 west		3,520.00	160.00		3,680.00	
Total ..			64,388.59	881,483.17	12,004.25	52,133.31	1,010,009.32	

Additional  
Do.NATHAN KIMBALL,  
Surveyor General for Utah.

C.—Statement showing the description of land for which township plats and descriptive lists have been furnished the local land offices at Salt Lake City and Beaver City during the fiscal year ending June 30, 1877.

Number.	Township.	Range.	Duplicate plats, when transmitted.	Descriptive lists, when transmitted.	Remarks.
1	2 south	4 east	Aug. 31, 1876		Additional.
2	13 south	7 east	Oct. 25, 1876	Oct. 25, 1876	
3	14 south	7 east	do	do	
4	22 south	6 west	Aug. 7, 1876	Jan. 13, 1876	
5	22 south	7 west	do	do	
6	23 south	5 west	do	do	
7	23 south	6 west	do	do	
8	23 south	7 west	do	do	
9	24 south	7 west	Jan. 13, 1877	do	
10	25 south	1 east	do	do	
11	25 south	2 east	do	do	
12	26 south	3 east	do	do	
13	27 south	3 east	do	do	
14	27 south	2 east	do	do	
15	28 south	2 east	do	do	
16	28 south	3 east	do	do	
17	29 south	3 east	do	do	
18	31 south	2 west	Mar. 7, 1877	Mar. 7, 1877	
19	32 south	2 west	do	do	
20	33 south	2 west	do	do	
21	33 south	3 west	do	do	
22	34 south	2 west	do	do	
23	34 south	3 west	do	do	
24	35 south	2 west	do	do	
25	35 south	3 west	do	do	
26	35 south	4 west	do	do	
27	36 south	3 west	do	do	
28	36 south	4 west	do	do	

NATHAN KIMBALL,  
Surveyor General of Utah.

D.—Statement of special deposits made by individuals for the survey of public lands in Utah for the fiscal year ending June 30, 1877.

Date of certificate of deposit.	No. of certificate of deposit.	Depositor.	Survey.	Field work.	Office work.	Total.
July 24, 1876	4511	J. M. Mason	Township 2 south, range 4 east.	\$35 00		
July 24, 1876	4512	do	do		\$25 00	
Sept. 19, 1876	4599	W. K. Barton	Township 18 south, range 3 east.	40 00		
Sept. 19, 1876	4600	do	do		10 00	
Sept. 19, 1876	4601	J. Armstrong	Township 16 south, range 3 east.	40 00		
Sept. 19, 1876	4602	do	do		10 00	
Mar. 24, 1877	4809	H. H. Lull	Township 29 south, range 10 west.	70 00		
Mar. 24, 1877	4810	do	do		30 00	
June 5, 1877	4948	J. Stratton	Township 39 south, range 11 west.	175 00		
June 5, 1877	4949	do	do		25 00	
June 5, 1877	4946	J. Parker	do	175 00		
June 5, 1877	4947	do	do		25 00	
June 5, 1877	4944	A. Dalton	Townships 38 and 39 south, range 11 west.	175 25		
June 5, 1877	4945	do	do		25 00	
June 7, 1877	4957	Kimball Merritt	Township 13 north, range 5 east.	9 00		
June 7, 1877	4958	do	do		16 00	
				719 00	166 00	
						\$885 00

NATHAN KIMBALL,  
Surveyor General of Utah.

**E.**—Statement showing mining claims surveyed, by whom surveyed, when approved, and amount of deposit for office work on each claim.

No. of lot.	Name of claim.	By whom surveyed.	When approved.	Amount of deposit.
<i>West Mountain district</i>				
120	Revere .....	O. A. Palmer .....	Feb. 1, 1877 .....	\$25
122	Henry M .....	M. T. Burgess .....	July 8, 1876 .....	25
123	Yamca .....	E. B. Wilder .....	Sept. 4, 1876 .....	25
124	Trinity .....	do .....	Sept. 2, 1876 .....	25
125	Black Jack .....	do .....	Aug. 28, 1876 .....	25
126	Opulent .....	F. Dickert .....	Unfinished .....	25
127	Silver Maid .....	do .....	Dec. 26, 1876 .....	25
128	Star of the West .....	do .....	Not return'd .....	25
129	Burning Moscow .....	F. Eastman .....	Nov. 16, 1876 .....	25
130	Green Grove .....	do .....	Nov. 15, 1876 .....	25
131	Miners' Home .....	do .....	Nov. 15, 1876 .....	25
132*	Hill's Placer .....	C. P. Brooks .....	Unfinished .....	50
133	Knickerbocker .....	R. H. Browne .....	Dec. 7, 1876 .....	30
134	Mercy .....	O. A. Palmer .....	Jan. 12, 1877 .....	25
135	First Chance .....	do .....	Jan. 12, 1877 .....	45
136	Hamlin .....	do .....	Jan. 31, 1877 .....	35
137	Evergreen .....	do .....	Feb. 2, 1877 .....	30
138	Vanderbilt .....	F. Eastman .....	Feb. 26, 1877 .....	35
139	Cymna Extension .....	do .....	Feb. 26, 1877 .....	40
140	Winnamuck No. 2 .....	do .....	Mar. 1, 1877 .....	35
141	Omaha .....	J. Gorlinski .....	Feb. 22, 1877 .....	30
142	Horace Greeley .....	O. A. Palmer .....	Apr. 27, 1877 .....	45
143	Mountain Gem No. 2 .....	do .....	Apr. 5, 1877 .....	25
144	Miller .....	do .....	May 16, 1877 .....	30
145	Red Cloud .....	do .....	June 9, 1877 .....	25
146	Silver Plume .....	do .....	June 16, 1877 .....	25
147	Beebe .....	F. Eastman .....	May 19, 1877 .....	25
148	Trinity Mill Site .....	do .....	May 9, 1877 .....	25
149	Flagstaff .....	E. B. Wilder .....	June 15, 1877 .....	35
150	Orphan Boy .....	O. A. Palmer .....	June 27, 1877 .....	25
				895
<i>Star district.</i>				
42	Uranus .....	N. E. Britt .....	Aug. 5, 1877 .....	30
43	Elephant .....	do .....	Feb. 20, 1877 .....	25
				55
<i>Little Cottonwood district.</i>				
79	Emerald .....	J. Gorlinski .....	Aug. 5, 1876 .....	25
80	West Point .....	do .....	Aug. 5, 1876 .....	25
81	Highland Chief .....	E. B. Wilder .....	Oct. 16, 1876 .....	25
82	Moltke .....	C. L. Stevenson .....	Oct. 20, 1876 .....	25
83	Defiance .....	do .....	Oct. 17, 1876 .....	25
84	Defiance Extension .....	do .....	Oct. 19, 1876 .....	25
89	Siskiyou .....	O. A. Palmer .....	Feb. 12, 1877 .....	50
90	Superior .....	do .....	Feb. 22, 1877 .....	25
91	Honeycomb .....	F. Dickert .....	Not return'd .....	25
92	La Pluta .....	O. A. Palmer .....	Mar. 10, 1877 .....	25
93	Marietta .....	R. H. Browne .....	Apr. 10, 1877 .....	30
				305
<i>Big Cottonwood district.</i>				
58	Chioftain .....	E. B. Wilder .....	Aug. 24, 1876 .....	25
59	Little Cora .....	do .....	Aug. 24, 1876 .....	25
60	Baker .....	C. L. Stevenson .....	Aug. 31, 1876 .....	25
61	Venus .....	E. B. Wilder .....	Dec. 22, 1876 .....	30
62	Umpire .....	do .....	Apr. 17, 1876 .....	25
63	Ogden .....	O. A. Palmer .....	Unfinished .....	25
64	Scott .....	do .....	Jan. 15, 1877 .....	25
65	Thor .....	E. B. Wilder .....	Dec. 22, 1876 .....	25
66	Evergreen, (relocation) .....	W. Bredemeyer .....	Unfinished .....	25
67	Bright Point .....	F. Dickert .....	Unfinished .....	30
				260
<i>East Tintic district.</i>				
57	Joe Bowers Lode No. 2 .....	R. H. Browne .....	Oct. 31, 1876 .....	30
59	Ocean and Ocean, First Southern Extension consolidated .....	do .....	Oct. 31, 1876 .....	30
60	Southern Extension, Wandigo Company's claim on Joe Bowers Lode .....	do .....	Dec. 8, 1876 .....	30
61	Sunbeam and Sunbeam, Southern Extension .....	do .....	Mar. 20, 1877 .....	50
				140

\*Five plats made, transcripts unfinished.

## E.—Statement showing mining claims surveyed, &amp;c.—Continued.

No. of lot.	Name of claim.	By whom surveyed.	When approved.	Amount of deposit.
<i>Ophir district.</i>				
105	Monument.....	E. B. Wilder.....	Aug. 8, 1876	\$25
106	Swansea.....	O. A. Palmer.....	Aug. 17, 1876	25
107	Northern Light.....	do.....	Aug. 16, 1876	25
108	Occident.....	C. L. Stevenson.....	Unfinished.	25
109	Weston.....	E. B. Wilder.....	Jan. 4, 1877	25
110	Corning Ledge.....	F. Dickert.....	Unfinished.	25
111	Fourth of July.....	O. A. Palmer.....	Unfinished.	25
112	Herchal.....	do.....	Apr. 17, 1877	25
				200
<i>Uintah district.</i>				
47 A	Banner Mill Site.....	O. A. Palmer.....	July 7, 1876	25
48 A	Last Chance.....	do.....	July 7, 1876	25
49	Washington Tunnel Mines.....	do.....	Nov. 16, 1876	25
50	O'Brian Ledge.....	E. Dickert.....	Jan. 4, 1877	25
51	Clara Davis.....	do.....	Jan. 12, 1877	30
52	Switzerland mill site.....	O. A. Palmer.....	Unfinished.	25
				155
<i>Rush Valley district.</i>				
41	Defiance.....	E. B. Wilder.....	Aug. 12, 1876	25
42	First Extension West, Silver King...	W. Bredemeyer.....	Aug. 26, 1876	25
43	Manzanilla.....	do.....	Oct. 28, 1876	25
44	Bullion No. 3.....	E. B. Wilder.....	Sept. 23, 1876	25
45	Silver King No. 2, West Extension...	W. Bredemeyer.....	Nov. 14, 1876	25
46	Muscatine and New Year No. 2, consolidated.	do.....	Dec. 12, 1876	50
47	Centeniel No. 2.....	do.....	Dec. 20, 1876	25
48	King of Stockton.....	do.....	Dec. 23, 1876	25
49	Atkins.....	do.....	Dec. 25, 1876	25
50	Iroquois.....	do.....	Nov. 25, 1876	25
51	First West Extension, Silver King No. 2	do.....	Apr. 6, 1877	25
				300
<i>Gordon district.</i>				
44	Sulphur King.....	F. Dickert.....	May 7, 1877	35
<i>Blue Ledge district.</i>				
46	Jones Mine.....	O. A. Palmer.....	June 22, 1877	25
<i>Bradshaw district.</i>				
37	Cave Mine Mill Site.....	A. H. Parker.....	Incomplete.	25
<i>Granite district.</i>				
37	Star King.....	N. E. Britt.....	May 3, 1877	25
	San Francisco.....	do.....	May 3, 1877	25
				50
<i>Juab County, (no district.)</i>				
37	uab Gypsum.....	R. H. Browne.....	Mar. 26, 1877	25
<i>Harrisburg district.</i>				
37	Stonewall Jackson.....	F. Dickert.....	June 21, 1877	25
38	Saint John.....	do.....	June 21, 1877	25
Total.....				2, 515

NATHAN KIMBALL,  
Surveyor General for Utah.

F.—Statement showing condition of appropriation for incidental expenses for office of surveyor general of Utah for the fiscal year ending June 30, 1877.

Dr.				Cr.	
1876.				1876.	
Sept. 30	To amount paid as per vouchers 1 to 10 .....	\$399 30	Aug. 23	By appropriation .....	\$1,500 00
30	To amount paid Daniel Gordon, messenger .....	54 00	1877.		
30	To amount paid W. A. Rositer, rent .....	150 00	Mar. 16	By appropriation .....	250 00
	Total for first fiscal quarter .....	603 30			
1877.					
Jan. 2	To amount paid as per vouchers 1 to 21 .....	269 28			
2	To amount paid Daniel Gordon, messenger .....	40 50			
2	To amount paid Charles Bird, messenger .....	12 50			
2	To amount paid W. A. Rositer, rent .....	100 00			
2	To amount paid William Jennings, rent .....	50 00			
	Total for second fiscal quarter .....	472 28			
Mar. 31	To amount paid as per vouchers 1 to 13 .....	160 05			
31	To amount paid D. McClelland .....	20 00			
31	To amount paid Charles Bird, messenger .....	50 00			
31	To amount paid William Jennings, rent .....	150 00			
	Total for third fiscal quarter .....	380 05			
June 30	To amount paid as per vouchers 1 to 10 .....	56 87			
30	To amount paid R. Beall .....	37 50			
30	To amount paid Charles Bird, messenger .....	50 00			
30	To amount paid William Jennings, rent .....	150 00			
	Total for fourth fiscal quarter .....	294 37			
	Aggregate .....	1,750 00			1,750 00

NATHAN KIMBALL,  
Surveyor General of Utah.



G.—Statement showing condition of appropriation for salaries of surveyor general of Utah and clerks in his office for the fiscal year ending June 30, 1877.

DR.			CR.		
1876.			1876.		
Sept. 30	To Nathan Kimball, surveyor general .....	\$750 00		By appropriation for salary of surveyor general .....	\$3,000 00
16	To T. C. Bailey, chief clerk ..	307 34			
30	To M. T. Burgess, chief clerk ..	55 16	23	By appropriation for salary of clerks .....	3,600 00
30	To J. H. Campe, draughtsman ..	300 00			
30	To W. A. Kimball, clerk .....	237 50			
	Total for first fiscal quarter .....	1,650 00			
1877.					
Jan. 2	To Nathan Kimball, surveyor general .....	750 00			
2	To M. T. Burgess, chief clerk ..	450 00			
2	To J. H. Campe, draughtsman ..	300 00			
	Total for second fiscal quarter .....	1,500 00			
Mar. 31	To Nathan Kimball, surveyor general .....	750 00			
31	To M. T. Burgess, chief clerk ..	450 00			
31	To J. H. Campe, draughtsman ..	375 00			
31	To J. A. Kimball, clerk .....	108 19			
	Total for third fiscal quarter .....	1,683 19			
June 30	To Nathan Kimball, surveyor general .....	750 00			
30	To C. H. Cranwell, chief clerk ..	450 00			
30	To J. H. Campe, draughtsman ..	375 00			
30	To G. Roberts, clerk .....	191 81			
	Total for fourth fiscal quarter .....	1,766 81			
	Aggregate .....	6,600 00			6,600 00

NATHAN KIMBALL,  
Surveyor General of Utah.

H.—Statement showing condition of special deposits for office work in the office of the surveyor general of Utah for the fiscal year ending June 30, 1877.

DR.			CR.		
1876.					
Sept. 30	To J. A. Kimball, clerk .....	\$218 00		By amount deposited for office work on mineral surveys .....	\$2,515 00
30	To Carl Dalghreen, assistant draughtsman .....	225 00			
30	To G. V. M. Boutelle, clerk ..	192 00		By amount deposited for office work on agricultural surveys .....	166 00
30	To Carl Dalghreen, assistant draughtsman .....	25 00			
1877.					
Jan. 2	To G. V. M. Boutelle, assistant draughtsman .....	110 00			
2	To J. H. Campe, draughtsman ..	100 00			
2	To W. J. Bowen, assistant draughtsman .....	103 00			
2	To John Kimball, clerk .....	237 00			
2	To C. H. Cranwell, clerk .....	44 00			
Mar. 31	To C. H. Cranwell, clerk .....	216 00			
31	To W. J. Bowen, assistant draughtsman .....	362 50			
31	To G. M. Roberts, clerk .....	84 00			
31	To H. Fitzhugh, clerk .....	68 00			
June 30	To W. J. Bowen, draughtsman ..	362 50			
30	To J. H. Marineau, assistant draughtsman .....	232 00			
30	To G. Roberts, clerk .....	108 19		By amount drawn from special deposits remaining to the credit of this office from former years .....	319 19
30	To H. Fitzhugh, clerk .....	116 00			
30	To J. A. Mitchell, clerk .....	96 00			
30	To Carl Dalghreen, assistant draughtsman .....	96 00			
	Total .....	3,000 19			3,000 19

NATHAN KIMBALL,  
Surveyor General of Utah.

*L.—Statement of plats made in the surveyor general's office of Utah for the fiscal year ending June 30, 1877.*

Description.	Original.	Department.	Register.	Claimant.	Total.
Plats of exterior boundaries.....	16	16	2	.....	34
Plats of townships subdivided.....	96	96	20	.....	212
Plats of mining claims and mill sites.....	85	2	78	156	321
Diagrams of mining claims on surveyed land.....	4	4	4	.....	12
Map of West Mountain mining district, showing the location of 107 mining claims as surveyed for patent up to date, and public surveys within the district.....	1	1	.....	.....	2
Map to accompany annual report.....	1	1	.....	.....	2
Total.....	203	120	104	156	583

NATHAN KIMBALL,  
Surveyor General of Utah.

*J.—Estimate of appropriation required for the surveying service in the Territory of Utah for the fiscal year ending June 30, 1879.*

For salary of surveyor general.....	\$3,000 00
For salary of chief clerk.....	1,800 00
For salary of chief draughtsman.....	1,500 00
For salary of assistant draughtsman.....	1,400 00
For salary of two transcribing clerks.....	2,400 00
For office rent, stationery, messenger, &c.....	2,500 00
For continuing the lines of the public surveys.....	50,000 00
For connecting mineral monuments.....	5,000 00
Total.....	67,600 00

ARREARS.

For preparation of maps and field notes of the several (31) mining districts, showing the relative position of each claim..... \$2,000 00

NATHAN KIMBALL,  
Surveyor General of Utah.

*K.—Statement showing the number of acres of land surveyed in Utah Territory since the inception of surveys up to June 30, 1877.*

Number of acres surveyed up to June 30, 1876.....	6,373,262.92
Number of acres surveyed during the fiscal year ending June 30, 1876.....	945,620.73
Number of acres resurveyed during the fiscal year ending June 30, 1877.....	64,388.59
Number of acres of mineral claims on unsurveyed land for 1877.....	411.819

Total to June 30, 1877..... 7,383,684.059

NATHAN KIMBALL,  
Surveyor General of Utah.

*L.—Statement showing the number of linear miles run, the rate per mile, and the total cost of survey, as returned in Utah, for the fiscal year ending June 30, 1877.*

Description.	Distance.	Rate per mile.	Amount.
	<i>M. chs. lks.</i>		
Meridian lines.....	33 46 50	\$15	\$503 72
Do.....	90 26 75	10	903 34
Meridian lines, timbered.....	71 12 00	13	924 95
Standard lines.....	18 00 00	15	270 00
Do.....	22 28 50	10	224 81
Standard lines, timbered.....	64 41 50	13	838 74
Township lines.....	122 50 68	12	1,471 60
Do.....	386 16 43	7	2,703 45
Section lines.....	454 53 49	10	4,546 69
Do.....	2,190 65 62	6	13,144 91
Meander lines.....	3 47 30	10	35 91
Total.....	3,457 78 77	.....	25,568 12

NATHAN KIMBALL,  
Surveyor General for Utah.

*M.—Statement of condition of appropriation for surveys of public land in Utah for the fiscal year ending June 30, 1877.*

Dr.			Cr.		
Dec. 22, 1876	To Bailey and Burrill, contract No. 74, September 4, 1876		Aug. 23, 1876	By appropriation for public surveys .....	\$20,000 00
		\$1,204 34			
Feb. 10, 1877	do .....	3,133 57			
Apr. 3, 1877	do .....	2,200 32			
June 21, 1877	do .....	4,339 18			
June 30, 1877	do .....	2,187 49			
	Total .....	13,063 90			

By balance..... \$6,936 10

By amount disallowed Bailey & Burrill on their contract of September 4, 1873..... \$436 10

\*By amount of Joseph and William A. Gorlinski's contract No. 74, dated September 4, 1876..... 6,500 00

6,936 10

\* A portion of this contract has been returned and approved by me, but has been suspended by the General Land Office.

NATHAN KIMBALL,  
Surveyor General.

*L.—Report of the surveyor general of Nevada.*

UNITED STATES SURVEYOR GENERAL'S OFFICE,  
Virginia City, Nevada, August 24, 1877.

SIR: In compliance with your instructions of April 3, 1877, I have the honor to submit the following report, in duplicate, of the operations of this office during the fiscal year ending June 30, 1877, with accompanying statements relative to the surveying department.

A.—Statement of account of appropriation for compensation of the United States surveyor general for Nevada, and the employes in his office, during the fiscal year 1876-'77.

B No. 1.—Statement of account of appropriation for surveys of public lands in Nevada during the fiscal year 1876-'77.

B No. 2.—Statement of account of appropriation for survey of the northerly and southerly lines of the Sutro Tunnel grant, under the appropriation for private and claims, during the fiscal year 1876-'77.

C.—Statement of account of appropriation for rent of office, fuel, books, stationery, and other incidental expenses, including pay of messenger in the office of the United States surveyor general of Nevada, during the fiscal year 1876-'77.

D.—Statement of contracts entered into by the United States surveyor general, with the number of miles surveyed, during the fiscal year 1876-'77.

E.—List of public lands surveyed in the State of Nevada during the fiscal year 1876-'77.

F.—Statement of special deposits with the subtreasurer of the United States for survey of the mineral claims in Nevada during the fiscal year 1876-'77.

G.—List of mineral claims surveyed in the State of Nevada during the fiscal year 1876-'77.

H.—Statement of plats made in the office of the United States surveyor general during the fiscal year 1876-'77.

I.—Statement for the surveying service in the State of Nevada for the fiscal year 1878-'79.

K.—Statement of special deposit made by the Central Pacific Railroad Company of California and Nevada:

By Treasurer's certificate No. 191, February 23, 1877:

For surveys.....	\$471 23
For office work.....	235 61
Total amount of deposit.....	706 84

The operations of the surveying service in this district have been confined entirely to the survey of agricultural and grazing lands. Sixteen townships have been surveyed, embracing an area of 262,844.04 acres of agricultural and grazing lands, 5,653 61 acres of lakes, and 64,220.72 unsurveyed and unfit for cultivation; total 332,718.37 acres;

together with 104 applications for patents to mineral claims, embracing an area of 1,277 acres; one town site of 89.52 acres, and one application for salt lands embracing an area of 1,280 acres, making a total of 2,646.52 acres.

There was also surveyed under instructions from the honorable Commissioner of the General Land Office, bearing date July 27, 1876, the northerly and southerly boundary lines of the Sutro Tunnel grant, lying in townships 16 and 17 north, ranges 20 and 21 east, Mount Diablo base and meridian, commencing at a point 2,004 feet northerly and 2,004 feet southerly from the center line of said tunnel, course N. 64° 45' E. a distance of 36,960 feet, being a surface location of 7 miles in length by 4 003 feet wide.

The subjoined statement is from the secretary of the Sutro Tunnel Company.

"SUTRO TUNNEL COMPANY  
San Francisco, A , 1877.

"DEAR SIR: Your favor of 13th instant to Mr. Sutro has been forwarded to me. I herewith submit an outline of our work. I arrange these dates by years as follows:

"1869.—Work on tunnel began in November, and 460 feet constructed to January, 1870.

"1870.—Progress made from 460 feet to 1,750 feet; total of 1,290 feet; average monthly progress 107½ feet; size of tunnel 1,000 feet 12 x 16; beyond, header run 6½ x 6½; subsequently enlarged to 8 x 8 feet.

"1871.—Progress made from 1,750 feet to 2,665 feet; total 915 feet; average progress per month 76½ feet; size of header 6½ x 6½ feet; subsequently enlarged to 8 x 8 feet.

"1872.—Progress made from 2,665 feet to 3,480 feet; total 815 feet; average progress per month 66½ feet; size of heading 6½ x 6½ feet; subsequently enlarged to 8 x 8 feet.

"1873.—Progress made from 3,480 feet to 5,399 feet; total, 1,919 feet. During the year, shaft No. 1 was sunk to tunnel level, and drifts E and W driven 655 feet. Average progress of header per month, excluding the 655 feet of drifts, 105½ feet; average size of header, 6½ x 6½; subsequently enlarged to 8 x 8 feet.

"1874.—Progress made from 5,399 feet to 8,079 feet; total, 2,680 feet; average per month, 223½ feet. April 25, started 1 Burleigh drill; June 22, 4 Burleigh drills running; August 7, 6 Burleigh drills running; March 19, commenced widening tunnel; April 11, header was run 8 x 14 from 5,800 feet to 7,400 feet; November 4, header was reduced to 8 x 10, its present size.

"1875.—From 8,879 feet to 11,807 feet; total progress, 3,728 feet; average monthly progress, 310½ feet.

"1876.—From 11,807 feet to 15,477 feet; total progress, 3,670 feet; average monthly progress, 305½ feet.

"1877.—To August, from 15,477 feet to 17,611 feet; total progress, 2,134 feet; average monthly progress, for first seven months, 305 feet.

"Temperature.—Present temperature of air at header is about 89°, of water, 93°.

"Water.—Present average flow of water from tunnel is 22 miners' inches.

"Powder.—The quantity of powder—Giant No. 1—used varies, averaging 3,000 to 4,000 pounds per month.

"Débris.—An average of 2,000 car loads of rock per month are removed from the tunnel.

"I remain, yours, very respectfully,

"PELHAM W. AMES,  
Secretary.

"E. S. DAVIS, Esq.,

"Surveyor General Nevada, Virginia City."

#### MINES AND MINING.

I have very little to add in regard to this industry in addition to my last report. Many of the districts throughout the State are having encouraging prospects. Among the most noted are Marietta and Belville, Esmeralda County; Tuscarora and Spruce Mountain, Elko County; Eureka, Eureka County; White Pine, White Pine County; and Reese River, Lander County; also rich placer diggings have been found in the Osceola district in White Pine County, lying at the base of Jeff. Davis Peak, in townships 13 and 14 north, range 68 east, and are now being worked.

The mine in Storey County, on the Comstock lode, is still being prosecuted with vigor, and the yield of bullion will not fall short of last year. Herewith please find statement of the superintendent of the Consolidated Virginia and California mines of ore and bullion produced for the fiscal year ending June 30, 1877:

#### Consolidated Virginia.

Ore extracted, tons.....	107,750 <sup>1888</sup>	
Bullion produced.....		\$9,570,269 04

Total from mine to date—

Ore extracted, tons.....	471,327 <sup>1888</sup>	
Bullion produced.....		44,154,299 62

*California mine.*

Ore extracted, tons ..... 197,260 <sup>1480</sup>/<sub>2000</sub>  
 Bullion produced ..... \$18,503,203 38

Total from mine to date—

Ore extracted, tons ..... 227,726 <sup>500</sup>/<sub>2000</sub>  
 Bullion produced ..... \$23,026,761 68

Total from both mines to date, tons ..... 699,053 <sup>1330</sup>/<sub>2000</sub>

Bullion produced ..... 67,181,061 30

Dividends paid to June 30, 1877:

Consolidated Virginia ..... 29,120,000 00  
 California ..... 16,200,000 00

Total dividends ..... 45,320,000 00

The subjoined statement is from the State comptroller:

"STATE COMPTROLLER'S OFFICE,  
 "Carson City Nev., August 20, 1877.

"DEAR SIR: I send herewith a statement of the yield of the mines of the State from July 1, 1876, to June 30, 1877. I did not recapitulate, as the statement is necessarily incomplete, five counties not yet having reported.

"Very truly, yours,

"W. W. HOBERT,  
 "Comptroller.

"General E. S. DAVIS,  
 "Virginia City, Nev.

*Yield of mines of the State of Nevada from July 1, 1876, to June 30, 1877.*

Name of county.	Ores extracted and worked.			Tailings worked.		Total.
	Tons.	Pounds.	Gross value.	Tons.	Gross value.	
Elko .....	5,427	648	\$444,709 91	2,554	\$22,924 00	\$467,633 91
Esmeralda .....	24,823	648	1,230,953 53	60	570 07	1,231,523 60
Eureka .....	66,872	245	2,611,417 86			2,611,417 86
Humboldt .....	3,508	1,009	118,652 80	11,830	76,289 21	194,942 01
Lander .....	6,694	178	733,718 83			733,718 83
Lincoln .....	2,656	1,212	170,993 73	2,221	21,057 77	192,051 50
Lyon .....	815		7,467 21	55,798 <sup>1</sup> / <sub>2</sub>	359,953 52	367,420 73
Nye .....	22,672	309	790,464 84	1,070	26,777 84	817,242 68
Storey .....	564,480	523	34,011,568 72	51,295	524,146 14	34,535,714 86
White Pine .....	10,341	421	436,209 97	694	6,740 72	442,950 69
Grand total .....						41,594,616 67

"The returns for the counties of Elko, Esmeralda, Humboldt, Lincoln, and White Pine, for the quarter ending June 30, 1877, are not included.

[SEAL.]

"W. W. HOBERT,  
 "Comptroller of State."

In hopes that this brief report will meet your approbation, I am,  
 Very respectfully, your obedient servant,

E. S. DAVIS,  
 United States Surveyor General for Nevada.

Hon. J. A. WILLIAMSON,  
 Commissioner General Land Office, Washington, D. C.

*A.—Statement of account of appropriation for compensation of United States surveyor general and employes during fiscal year 1876-'77.*

DR.		CR.	
To amount paid quarter ending September 30, 1876.....	\$1,827 71	By appropriation surveyor general...	\$3,000 00
To amount paid quarter ending December 31, 1876.....	1,575 00	By appropriation clerical service August 15, 1876.....	3,500 00
To amount paid quarter ending March 31, 1877.....	1,575 00	By appropriation deficiency March 3, 1877.....	183 42
To amount paid quarter ending June 30, 1877.....	1,575 00		1,200 00
Balance.....	1,330 71		
	7,883 42		7,883 42
		Balance July 1, 1877.....	1,330 71

*B No. 1.—Statement of account of appropriation for survey of public lands in Nevada during 1876-'77.*

DR.		CR.	
To amount paid quarter ending June 30, 1877.....	\$1,535 55	By appropriation for surveys.....	\$20,000 00
Do.....	3,464 45		
Balance.....	15,000 00		
	20,000 00		20,000 00
		Balance July 1, 1877.....	15,000 00

*B No. 2.—Statement of account of appropriation for survey of Sutro Tunnel grant for 1876-'77.*

DR.		CR.	
Charles F. Hoffman, surveyor.....	\$420 00	Appropriation of private land claims.	\$1,000 00
Two chainmen.....	183 00		
Two flagmen.....	192 00		
One axman.....	87 00		
Iron monuments.....	63 00		
Incidentals.....	51 00		
Balance.....	4 00		
	\$1,000 00		1,000 00
		Balance July 1, 1877.....	4 00

*C.—Statement of account of appropriation for rent of office, fuel, books, stationery, and pay of messenger, during 1876-'77.*

DR.		CR.	
To amount paid quarter ending September 30, 1876.....	\$744 00	By appropriation.....	\$1,500 00
To amount paid quarter ending December 31, 1876.....	331 38	By appropriation deficiency March 3, 1877.....	400 00
To amount paid quarter ending March 31, 1877.....	450 10		
To amount paid quarter ending June 30, 1877.....	365 00		
Balance.....	9 52		
	1,900 00		1,900 00
		Balance July 1, 1877.....	9 52

D.—Statement of contracts entered into by the United States surveyor-general for Nevada, with the number of miles surveyed during the fiscal year 1876-'77.

Contract.		Name of deputy.	Work embraced in contracts and returned to this office.	Contract amount.	Township.	Section.	Meanders.	Returned amount.	Date of transmittal.	Remarks.
No.	Date.									
7	1876. Nov. 11	G. W. Garside...	Run, measure, and mark all lines to establish the exterior boundaries and subdivision lines of townships 36 and 37 north, range 26 east; township 39 north, ranges 23, 24, and 25 east; township 41 north, range 23 east; township 42 north, range 21 east; township 42 north, range 22 east; also the exterior and subdivision lines of townships 43 and 44 north, ranges 21, 22, 23, and 24 east, Mount Diablo meridian.	\$5,000 00	<i>Ms. chs. lks.</i> 49 74 93  87 63 24	<i>Ms. chs. lks.</i> 193 33 47  496 49 83	<i>Ms. chs. lks.</i> 4 20 08	\$1,535 55	1877. April 5	Closed.
75	1877. April 28	D. H. Barker and J. H. Eaton.	Run, measure, and mark all lines necessary to establish the exterior and subdivision lines of townships 9 and 10 north, range 22 east, and township 11 north, range 23 east, and the subdivision lines of townships 9 and 10 north, range 23 east, and township 10 north, range 21 east, Mount Diablo meridian.	1,200 00			21 12 57	3,721 21	June 20	Closed.
76	June 16	A. J. Hatch, D. H. Barker, and J. H. Eaton.	Run, measure, and mark all lines necessary to establish the Mount Diablo base line through ranges 34, 35, and 36 east, the first standard parallel north through ranges 34 and 35 east, and the first standard parallel south through range 37 east; also all lines necessary to establish the exterior boundaries of townships 2, 3, 4, and 5 north, ranges 34 and 35 east; township 1 north, range 35 east; townships 1, 2, and 3 north, range 36 east; also the exterior and subdivisional lines of township 1 north, range 34 east; townships 1 and 2 south, ranges 34, 35, and 36 east; township 3 south, ranges 35 and 36 east; township 4 south, ranges 36 and 37 east; township 5 south, range 37 east, Mount Diablo meridian.	4,500 00						No returns.
				10,760 60	137 58 17	690 03 30	25 32 65	5,256 76		
										No returns.



E.—List of the lands surveyed in the State of Nevada during the fiscal year 1876-'77.

Townships north.	Ranges east.	Public land.	Lakes.	Unsurveyed.	Total.
		<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>
36	26	4,793.11	.....	18,234.96	23,028.07
37	26	15,526.00	.....	7,520.96	23,046.96
39	23	4,013.60	.....	18,934.56	22,948.16
39	24	12,007.46	704.63	10,240.00	22,952.14
39	25	13,658.14	.....	9,290.24	22,948.38
41	23	20,796.58	.....	.....	20,796.58
42	21	18,193.94	.....	.....	18,193.94
42	22	10,033.86	.....	.....	10,033.86
43	21	18,009.60	4,948.93	.....	22,958.53
43	22	21,358.01	.....	.....	21,358.01
43	23	17,558.64	.....	.....	17,558.64
43	24	22,971.66	.....	.....	22,971.66
44	21	22,930.83	.....	.....	22,930.83
44	22	22,934.01	.....	.....	22,934.01
44	23	15,121.23	.....	.....	15,121.23
44	24	22,937.40	.....	.....	22,937.40
Total...		262,844.04	5,653.61	64,220.72	332,718.37

F.—List of special deposits with the subtreasurer of the United States for mineral claims in Nevada during the fiscal year 1876-'77.

Number of survey.	Depositor.	Lode.	Deputy.	Amount.
39	Leguria Silver Mining Company.	Leguria.....	G. Earnst.....	\$30
40	Barcelona Centennial.....	Robert Emmet.....	do.....	30
99	Benedict Company.....	Bald Eagle.....	E. E. Fine.....	30
41	J. B. Reynolds.....	Calalonia.....	G. Earnst.....	30
122	N. R. King.....	Silver Leaf.....	C. F. Hoffman.....	30
123	C. Tonzac et al.....	Comet.....	do.....	30
41	J. F. Lewis.....	Juniper.....	C. C. Tracy.....	30
100 A. & B.	W. W. McCoy.....	Southern Cross.....	T. J. Read.....	30
102	J. E. Plater.....	Montrose.....	do.....	30
103	S. P. Dewey.....	Southern Pacific.....	do.....	30
44 & 37	J. Hansmeister.....	Second extension, 2 G.....	G. Earnst.....	30
38	do.....	Heidelberg.....	do.....	30
33	Young America Company.....	California.....	C. C. Tracy.....	30
104	J. E. Plater.....	Mill Site.....	T. J. Read.....	30
140	Alvarado Company.....	Hoosac.....	C. F. Hoffman.....	30
120	Trenton Company.....	Wild Idle.....	do.....	30
105	Adams Hill Consolidated.....	Wide West.....	T. J. Read.....	30
106	do.....	Alabama.....	do.....	30
37	J. R. Williamson.....	O. Dare.....	C. V. Netzer.....	30
40	Centennial Company.....	Centennial.....	C. C. Tracy.....	30
51	J. A. Hall et al.....	Manhattan.....	W. N. McGill.....	30
52	A. McKenzie.....	Pleiades.....	do.....	30
53	A. B. Harvey.....	Yankee Blade.....	do.....	30
93 & 60	T. Wren.....	Oh Joe.....	T. J. Read.....	30
94	J. Grandelmeier.....	Hagin and Tevis.....	do.....	30
54 A. & B.	W. Lord et al.....	Nevada Chief.....	do.....	30
37	Leete and Van Gorder.....	Eagle Salt Works.....	A. J. Doolittle.....	30
37	Alameda Mining Company.....	Prince.....	W. N. McGill.....	30
38 A. & B.	do.....	Imperial.....	do.....	30
39	do.....	Monarch.....	do.....	30
109	Richmond Mining Company.....	Atlantic.....	T. J. Read.....	30
110	do.....	Antarctic.....	do.....	30
108	do.....	Arctic.....	do.....	30
107	do.....	Utah.....	do.....	30
130	West Belcher.....	Gold Hill, West.....	C. F. Hoffman.....	30
111	G. Peterson et al.....	Silver State.....	T. J. Read.....	30
112	do.....	Original Baltic.....	do.....	30
125	Niagara Mining Company.....	Niagara.....	C. F. Hoffman.....	30
43 A. & B.	C. W. Bennett et al.....	Lella.....	C. C. Tracy.....	30
44	do.....	Great Expectations.....	do.....	30
45	do.....	Saint Johns.....	do.....	30
42	do.....	Monarch.....	do.....	30
42 A. & B.	J. Hammond.....	Mohawk.....	T. J. Read.....	30
43 A. & B.	J. Ramadall.....	Genesee.....	do.....	30
95 A. & B.	O. Drake.....	John Wild, South.....	do.....	30

F.—List of special deposits with the subtreasurer of the United States, &amp;c.—Continued.

Number of survey.	Depositor.	Lode.	Deputy.	Amount.
96 A. & B.	F. Drake .....	John Wild, North. ....	T. J. Read .....	\$30
51 & 126	Florida Mining Company ..	Comstock .....	C. F. Hoffman .....	30
141	H. L. Sargent .....	Mexican .....	do .....	30
142	Vermont Mining Company ..	Quartz .....	do .....	30
127	J. M. McGinnis .....	Teddy O'Neil .....	do .....	30
39	J. Hansmeister .....	Necker .....	G. Earnst .....	30
37 A. & B.	Silver Peak and Red Mount- ain. ....	Vanderbilt .....	M. Curtis .....	30
38	do .....	Silver Eagle .....	do .....	30
39	do .....	Pocotillo .....	do .....	30
40	do .....	Black Warrior .....	do .....	30
41	do .....	Sun Rise .....	do .....	30
42	do .....	Last Chance .....	do .....	30
43	do .....	Western Soldier .....	do .....	30
44	do .....	Glory .....	do .....	30
45	do .....	Crowning Glory .....	do .....	30
46	do .....	Crowning Glory, extension ..	do .....	30
47	do .....	Drink Water .....	do .....	30
48	do .....	Valient .....	do .....	30
49	do .....	New York .....	do .....	30
50	do .....	Chieftain .....	do .....	30
51	do .....	Astor .....	do .....	30
52	do .....	Home Stake .....	do .....	30
61	T. J. Read .....	Black Rock .....	T. J. Read .....	30
62	do .....	Jennie "A" .....	do .....	30
143	North Chipman Company ..	Chipman .....	A. Craven .....	30
128	J. M. Walker .....	Volcano .....	C. F. Hoffman .....	30
38	A. G. Rich .....	Curts & Keller .....	T. J. Read .....	30
40	De Freis Mining Company ..	Oreale .....	G. W. Garside .....	30
113	Eureka Consolidated .....	Mill Site .....	T. J. Read .....	30
114	do .....	do .....	do .....	30
115	Joseph Ringot .....	Hugenout .....	do .....	30
144	Little York Mining Company	Quartz .....	C. F. Hoffman .....	30
145	Grosh Consolidated Company	Grosh .....	do .....	30
146	do .....	Bonanza .....	do .....	30
147	do .....	do .....	do .....	30
129	Silver Hill Mining Company ..	Holman .....	I. E. James .....	30
37	Syracuse Mining Company ..	Syracuse .....	C. C. Tracy .....	30
55	Martin White .....	Mill Site .....	W. N. McGill .....	30
148	North Prospect Company ..	Lee .....	C. F. Hoffman .....	30
63	Evan Harris .....	Saint Louis .....	T. J. Read .....	30
149	Jacob Little Mining Company	Lamson .....	C. F. Hoffman .....	30
41	Grand Prize Mining Company	Virginia .....	C. C. Tracy .....	30
116	Phoenix Mining Company ..	Adams & Farren .....	T. J. Read .....	30
37	L. D. Kellog .....	Eliza .....	C. C. Tracy .....	30
117	Samuel Cooper .....	Williamsburg .....	T. J. Read .....	30
38	J. R. Williamson .....	Keystone .....	C. V. Netzer .....	30
118	A. Frazer and M. Hartnet ..	Magnet .....	T. J. Read .....	30
119	K. K. Consolidated .....	Marcelina .....	do .....	30
37 A. & B.	Hunter Consolidated .....	Richmond .....	W. N. McGill .....	30
38	do .....	Vulcan .....	do .....	30
39	do .....	Copperhead .....	do .....	30
40	do .....	Crown Point .....	do .....	30
41	do .....	Footman .....	do .....	30
129	Adams Hill Consolidated ..	General Lee .....	T. J. Read .....	30
97	S. F. Paul .....	Keystone .....	do .....	30
21	Hoscoe Consolidated .....	Dolly Varden .....	do .....	30
	Tybo Town Site Company ..	Tybo Town Site .....	G. Earnst .....	30
39	J. E. Meacham .....	Indel .....	R. M. Catlin .....	30
38	S. G. Gartner .....	Columbia .....	do .....	30
64	P. L. Weaver .....	King .....	T. J. Read .....	30
130	Del Rey Mining Company ..	Del Rey .....	C. F. Hoffman .....	30
				3,180 00

G.—List of mining claims surveyed in the State of Nevada during the fiscal year 1876-'77.

Number of survey.	Company.	Lode.	Mining district.	County.	Township and range.	Area in acres.	Date of approval.	Character of lode.
39.....	Leguria Mining Company.	Leguria.....	Spanish Belt.....	Nye.....	Unsurveyed.....	20.66	1876.	
40.....	Barcelona Silver Mining Company.	Robert Emmet.....	do.....	do.....	do.....	20.41	July 5	Silver.
90.....	A. Beaudiot & Co.....	Bald Eagle.....	Eureka.....	Eureka.....	do.....	3.37	July 11	Do.
41.....	J. B. Reynolds.....	Calaverita.....	Spanish Belt.....	Nye.....	do.....	16.26	July 12	Do.
122.....	Silver Leaf Mining Company.	Silver Leaf.....	Devil's Gate.....	Lyon.....	Township 16 north, range 21 east..	13.16	July 15	Do.
123.....	Comet Mining Company.	Comet.....	do.....	do.....	do.....	13.67	Aug. 21	Do.
41.....	J. F. Lewis.....	Juniper.....	Spruce Mountain.....	Elko.....	Unsurveyed.....	16.26	Aug. 25	Do.
100 A. & B.	W. W. McCoy.....	Southern Cross.....	Eureka.....	Eureka.....	do.....	11.87	Aug. 18	Do.
102.....	J. E. Plater.....	Montrose.....	do.....	do.....	do.....	6.85	Aug. 21	Do.
103.....	S. P. Dewey.....	Southern Pacific.....	do.....	do.....	do.....	8.61	Aug. 21	Do.
44 & 37.	J. Haunsmeister.....	Second extension, Q. G.....	Tybo.....	Nye.....	do.....	5.51	Aug. 23	Do.
38.....	do.....	Heidelberg.....	do.....	do.....	do.....	20.66	Aug. 23	Do.
37 & 38.	Young America.....	California.....	Tuscarora.....	Elko.....	Township 40 north, range 51 east..	20.66	Aug. 24	Do.
104.....	J. E. Plater.....	Mill Site.....	Eureka.....	Eureka.....	Unsurveyed.....	5.00	Aug. 25	Mill site.
140.....	Alvarado.....	Hoosac.....	Flowers.....	Storey.....	Township 17 north, range 21 east..	20.53	Aug. 26	Silver.
120.....	Trenton.....	Wild Idle.....	Devil's Gate.....	Lyon.....	Township 16 north, range 21 east..	20.66	Aug. 25	Do.
105.....	Adams Hill Consolidated.	Wide West.....	Eureka.....	Eureka.....	Unsurveyed.....	3.67	Sept. 4	Do.
106.....	do.....	Alabama.....	do.....	do.....	do.....	6.89	Sept. 4	Do.
37.....	J. R. Williams.....	O. Dare.....	Roberts.....	Lander.....	do.....	9.18	Sept. 14	Do.
39.....	Centennial.....	Centennial.....	Tuscarora.....	Elko.....	Township 40 north, range 21 east..	20.66	Sept. 29	Do.
51.....	J. A. Hall et al.....	Manhattan.....	Ward.....	White Pine.....	Unsurveyed.....	20.66	June 21	Do.
52.....	A. McKenzie.....	Pleiades.....	do.....	do.....	do.....	18.74	June 21	Do.
53.....	P. Morrel et al.....	Yankee Blade.....	do.....	do.....	do.....	15.79	Sept. 30	Do.
93 & 60.	T. Wren.....	Oh Joe.....	White Pine.....	do.....	do.....	20.61	Oct. 5	Do.
94.....	J. Grandelmeyer.....	Hagin & Tevis.....	do.....	do.....	do.....	3.78	Oct. 4	Do.
54 A. & B.	W. Cray.....	Nevada Chief.....	Lake.....	do.....	do.....	25.61	Oct. 6	Do.
37.....	B. F. Leet and C. H. Van Gorder.	Eagle Salt Works.....	Churchill.....	do.....	do.....	1,260.00	Oct. 9	Salt.
37.....	Alameda Mining Company	Prince.....	Taylor.....	White Pine.....	do.....	20.66	Oct. 7	Silver.
38 A. & B.	do.....	Imperial.....	do.....	do.....	do.....	25.64	Oct. 10	Do.
39.....	do.....	Monarch.....	do.....	do.....	do.....	20.66	Oct. 7	Do.
109.....	Richmond Mining Company.	Atlantic.....	Eureka.....	Eureka.....	do.....	2.71	Oct. 13	Do.
110.....	do.....	Antarctic.....	do.....	do.....	do.....	2.71	Oct. 12	Do.
108.....	do.....	Arctic.....	do.....	do.....	do.....	2.71	Oct. 17	Do.
107.....	do.....	Utah.....	do.....	do.....	do.....	3.35	Oct. 12	Do.
130.....	West Belcher.....	Gold Hill, West.....	Gold Hill.....	Storey.....	Township 17 north, range 21 east..	9.69	Oct. 16	Do.
111.....	G. Peterson.....	Silver State.....	Eureka.....	Eureka.....	Unsurveyed.....	6.34	Oct. 28	Do.
112.....	do.....	Original Baltic.....	do.....	do.....	do.....	4.59	Oct. 30	Do.
125.....	Niagara Mining Company.	Niagara.....	Devil's Gate.....	Lyon.....	Township 16 north, range 21 east..	2.64	Nov. 1	Do.
43 A. & B.	C. W. Bennet et al.....	Leila.....	Spruce Mountain.....	Elko.....	Unsurveyed.....	13.16	Nov. 3	Do.

41A.&B	do	Great Expectations	do	do	do	11.86	Nov. 6	Do.
45A.&B	do	Saint Johns	do	do	do	16.83	Nov. 10	Do.
42A.&B	do	Monarch	do	do	do	13.26	Nov. 3	Do.
42A.&B	J. Hammond	Mohawk	Schell Creek	White Pine	do	17.42	Nov. 11	Do.
43A.&B	J. Ramsdell	Genesee	do	do	do	19.74	Nov. 13	Do.
95	O. Drake	John Wild, South	White Pine	do	do	25.66	Nov. 14	Do.
96	F. Drake	John Wild, North	do	do	do	23.81	Nov. 15	Do.
51 & 126	Florida	Comstock	Gold Hill	Storey	Township 16 north, ranges 21 and 20 east	17.91	Nov. 16	Do.
141	Spanish Company	Mexican	Virginia	do	Township 17 north, range 21 east	3.72	Nov. 24	Do.
142	Vermont Mining Company	Quartz	do	do	do	6.16	Nov. 29	Do.
127	J. M. McGinnis	Teddy O'Neil	Devil's Gate	Lyon	Township 16 north, range 21 east	10.90	Dec. 18	Do.
39	J. Hausmeister	Necker	Tybo	Nye	Unsurveyed	9.44	Dec. 22	Do.
37A.&B	Silver Peak and Red Mountain	Vanderbilt	Silver Peak	Esmeralda	do	6.77	Dec. 27	Do.
38	do	Silver Eagle	do	do	do	1.21	Dec. 28	Do.
39	do	Pocotillo	do	do	do	1.89	Dec. 28	Do.
40	do	Black Warrior	do	do	do	4.13	Dec. 29	Do.
41	do	Sun Rise	do	do	do	4.13	Dec. 29	Do.
42	do	Last Chance	Red Mountain	do	do	2.52	Dec. 30	Do.
43	do	Western Soldier	do	do	do	4.55	Dec. 30	Do.
44	do	Glory	do	do	do	2.02	Jan. 4	Do.
45	do	Crowning Glory	do	do	do	2.72	Jan. 5	Do.
46	do	Crowning Glory, extension	do	do	do	0.68	Jan. 5	Do.
47	do	Drinkwater	do	do	do	2.29	Jan. 5	Do.
48	do	Valent	do	do	do	0.91	Jan. 6	Do.
49	do	New York	do	do	do	2.73	Jan. 6	Do.
50	do	Chieftain	do	do	do	2.02	Jan. 8	Do.
51	do	Astor	Silver Peak	do	do	1.76	Jan. 8	Do.
52	do	Home Stake	do	do	do	1.75	Jan. 9	Do.
61	Jennie A. and Black Rock	Black Rock	White Pine	White Pine	do	12.86	Dec. 26	Do.
62	do	Jennie A	do	do	do	10.33	Dec. 26	Do.
143	N. Chipman	Chipman	Gold Hill	Storey	Township 17 north, range 21 east	7.34	Jan. 10	Do.
128	Volcano Mining Company	Volcano	Devil's Gate	Lyon	Township 16 north, range 21 east	16.70	Jan. 15	Do.
38	A. G. Rich	Curts & Keller	Diamond	Eureka	Unsurveyed	20.66	Dec. 1	Do.
40	De Freis Mining Company	Oreade	Tuscarora	Elko	do	20.66	Jan. 26	Do.
113	Eureka Consolidated	Mill Site	Eureka	Eureka	do	5.00	Jan. 29	Mill site.
114	do	do	do	do	do	5.00	Jan. 29	Do.
115	Joseph Ringot	Hagenont	do	do	do	6.43	Jan. 30	Silver.
144	Little York	Quartz	Virginia	Storey	Township 17 north, range 21 east	10.01	Jan. 31	Do.
145	Grosh Consolidated	Grosh	Gold Hill	do	do	15.50	Feb. 2	Do.
146	do	Bonanza	do	do	do	7.48	Feb. 2	Do.
147	do	do	do	do	do	5.39	Feb. 3	Do.
149	Holman Company	Holman	do	do	Township 16 north, range 21 east	12.33	Feb. 5	Do.
37	Syracuse Mining Company	Syracuse	Grand Junction	Elko	Unsurveyed	20.66	Feb. 7	Do.
55	Martin White	Mill Site	Ward	White Pine	do	4.61	Feb. 9	Mill site.
148	North Prospect	Lee	Silver Star	Storey	Township 17 north, range 21 east	19.38	Feb. 27	Silver.

G.—List of mining claims surveyed in the State of Nevada during the fiscal year 1876-'77—Continued.

Number of survey.	Company.	Lode.	Mining district.	County.	Township and range.	Area in acres.	Date of approval	Character of lode.
63.....	Evan Harris <i>et al</i> .....	Saint Louis .....	White Pine .....	White Pine .....	Unsurveyed .....	9.18	1877. Mar. 5	Silver.
149.....	Jacob Little .....	Lamson .....	Virginia .....	Storey .....	Township 17 north, range 21 east.	15.15	Apr. 10	Do.
41.....	Grand Prize .....	Virginia .....	Tuscarora .....	Elko .....	Unsurveyed .....	20.66	Apr. 13	Do.
116.....	Phoenix .....	Adams & Farren .....	Eureka .....	Eureka .....	do .....	2.15	Apr. 16	Do.
37.....	L. D. Kellog .....	Eliza .....	Eliza .....	Elko .....	do .....	20.66	Apr. 23	Do.
117.....	Samuel Cooper .....	Williamsburg .....	Eureka .....	Eureka .....	do .....	6.78	Apr. 24	Do.
38.....	J. R. Williamson .....	Keystone .....	Roberts .....	Lander .....	do .....	7.34	Apr. 24	Do.
118.....	Frazer & Hartnett .....	Magnet .....	Eureka .....	Eureka .....	do .....	6.89	May 4	Do.
119.....	K. K. Consolidated .....	Marcelina .....	do .....	do .....	do .....	1.59	May 12	Do.
37 A. & B.	Hunter Consolidated .....	Richmond .....	Hunter .....	White Pine .....	do .....	25.64	May 21	Do.
38.....	do .....	Vulcan .....	do .....	do .....	do .....	15.50	May 22	Do.
39.....	do .....	Copperhead .....	do .....	do .....	do .....	4.58	May 22	Do.
40.....	do .....	Crown Point .....	do .....	do .....	do .....	19.63	May 22	Do.
41.....	do .....	Footman .....	do .....	do .....	do .....	20.66	May 23	Do.
120.....	Adams Hill Consolidated .....	General Lee .....	Eureka .....	Enreka .....	do .....	3.86	May 24	Do.
97.....	S. F. Paul .....	Keystone .....	White Pine .....	White Pine .....	do .....	20.07	June 4	Do.
121.....	Hoosac Consolidated .....	Dolly Varden .....	Secret Cañon .....	Eureka .....	do .....	8.42	June 4	Do.
39.....	J. E. Meacham .....	Infidel .....	Centennial .....	Elko .....	Township 44 north, range 52 east.	9.18	June 11	Do.
38.....	S. G. Gartner .....	Columbia .....	do .....	do .....	do .....	20.31	June 11	Do.
64.....	P. L. Weaver .....	King .....	White Pine .....	White Pine .....	Unsurveyed .....	20.66	June 12	Do.
130.....	Del Rey Mining Company .....	Del Rey .....	Devil's Gate .....	Lyon .....	Township 16 north, range 21 east.	13.77	June 22	Do.
	Tybo Town Site .....	Tybo .....	Tybo .....	Nye .....	Unsurveyed .....	89.52	June 7	Town site.
Mineral lands .....						1,277.00		
Salt lands .....						1,280.00		
Town site .....						89.52		
Total .....						2,646.52		

H.—Statement of plats made in the office of the United States surveyor general for Nevada during the fiscal year 1876-77.

Description.	Original.	Department.	Register.	Post on claims.	Total.
Exterior township lines.....	3	3			6
Subdivision plats.....	18	18	18		54
Maps of mining districts.....	1	2			3
Sketches for deputies.....	4				4
Addition to State map.....	1	1			2
Map of Sutro Tunnel.....	1	1			2
Indian reservations.....			2		2
Corrected township plats.....	2	2	6		10
Town-site of Tybo.....	1	1	1		3
Plats of mineral claims.....	104	104	105	116	429
Total plats.....	135	132	132	116	512

I.—Statement of the surveying service in the district of Nevada for the fiscal year ending June 30, 1879.

For surveying:

For running 200 miles of standard and meridian, at \$15.....	\$3,000 00
For running 1,500 miles of township lines, at \$12.....	18,000 00
For running 3,500 miles of subdivision lines, at \$10.....	35,000.00

Total for surveys..... 56,000 00

For compensation of surveyor general.....	3,000 00
For compensation of two clerks.....	3,300 00
For compensation of two draughtsmen.....	3,000 00

Total for salaries..... 9,300 00

For rent of office, salary of messenger, fuel, book, stationery, and other incidental expenses.....	4,400 00
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K.—Statement of special deposit made by the Central Pacific Railroad Company of California for surveys and office work in Nevada.

Treasurer's certificate No. 191, February 26, 1877:

For surveys.....	\$471 23
For office work.....	235 61

Total amount of deposit..... 706 84

M.—Report of the surveyor general of Arizona.

UNITED STATES SURVEYOR GENERAL'S OFFICE,  
Tucson, Ariz., August 20, 1877.

SIR: In compliance with General Land Office instructions of date April 3, 1877, I have the honor to submit herewith, in duplicate, my annual report of surveying operations within this district for the fiscal year ending June 30, 1877.

Tabular statements, in duplicate, showing extent and locality of surveys, and also the expenditures of this office, accompany the report, as follows:

A 1.—Statement of contracts for survey of public lands payable out of the apportionment to Arizona for the fiscal year ending June 30, 1877.

A 2.—Statement of contracts for surveys payable out of "individual deposits."

B 1.—Statement of account of apportionment to Arizona for public surveys.

B 2.—Statement of accounts under contracts for the survey of private land claims.

B 3.—Statement of accounts under contracts for public surveys payable out of special deposits.

C.—Account of appropriations for salary of surveyor general, for clerks in office, and for incidental expenses.



- D.—Account of fund created by "individual depositors" for office work.
- E.—Statement of plats made during year.
- F.—Statement of miles surveyed during year.
- G.—List of mining claims and mill-sites surveyed during year.
- H.—List of lands surveyed during year.
- I.—Estimates for the surveying service for the year ending June 30, 1879.

#### SURVEYS—WHERE MADE AND CHARACTER OF LAND.

The lands surveyed with the apportionment for the fiscal year ending June 30, 1877, lie along the Sonora, Santa Cruz, and Gila Valleys, in the southern part of the district, and were subdivided upon application of *bona fide* settlers and residents. In the northern section applications by settlers were made for surveys along Date and Ash Creeks, and in Chino and Upper Verde Valleys. Deputy Surveyor Foster was given a contract last October for the survey of such lands, but he has not yet made return of his work. Surveys of only such lands as actual settlers have requested be made, either directly to this office or through deputy surveyors, have been executed. In this connection it is proper to say, there is very little land in this district which can be cultivated without irrigation; and "irrigable lands, or such as can be redeemed, and for which there is sufficient accessible water for the reclamation and cultivation of the same, not otherwise utilized or claimed," are situated in valleys ranging from a few rods to a few miles in width.

To survey these lands one of two courses must be pursued, viz: Either survey tracts of irregular width, sometimes extending to the width of a township, but more frequently less, or often cover lands, on either side of the valleys, which cannot be irrigated by the ordinary methods, even if water were abundant. Being well convinced that Congress intended that lands occupied by actual settlers should be surveyed, and that unless townships contained actually worthless land they should be fully surveyed when begun, I let contracts and instructed deputies accordingly. It is very rare that lands on either side of cultivable valleys are not covered with excellent grass and are therefore much desired by settlers, and when opportunity is offered will be purchased by the valley settlers. In many instances settlers occupy lands with only a spring or very small stream, with a view to chiefly engage in stock or cattle growing—important industries in Arizona. Such settlers ask for surveys, and are as justly entitled to them as are those engaged in agriculture; yet a strict application of the letter of the law would perhaps exclude them from the privilege of procuring title to lands they occupy in perfect good faith for homes, and for the only use to which the land can be put. In some instances stock growers sink wells in the fine pasture lands destitute of surface water, and at considerable expense erect hoisting machinery to raise the water for their animals and for other uses. This species of settlement deserves the very best encouragement; and yet Congress has substantially denied them surveys and therefore power to procure title. Any and all lands which people will occupy in good faith for legitimate purposes ought to be surveyed. Arizona Territory has a standing reward of \$3,000 and \$5,000 for the finding of artesian water, and yet, should an enterprising party secure the \$5,000 reward by sinking a successful well on unsurveyed lands, he might be unable to procure title under present national legislation, which was unquestionably inspired because of the survey of worthless lands; but in an honest attempt to prevent abuses Congress surely exceeded its purposes, and legislated so as to discourage occupation of valuable lands. Recognizing fully the legal restrictions on surveys and the strict instructions of your office in relation thereto, and at the same time the absolute justice of the demands of *bona fide* settlers for surveys, in submitting for your approval the first contract for surveys under the appropriation for the present fiscal year I stated quite clearly the character of lands embraced in said contract, and with such statement you approved it. The law should be so amended as to meet the reasonable wants of actual settlers. In doing it, the survey of worthless lands could be just as effectually prevented.

#### OPERATIONS UNDER THE DESERT LAND ACT.

According to the best information at hand, not quite one hundred declaratory statements have been made under the desert land act, and but twenty-six on unsurveyed land in this district. Investigation shows that with very few exceptions they have been made by actual residents of this Territory. Fearing that possible abuses of the privileges permitted by the law would lead to such a strict application of its provisions as to compel the reclamation of the entire tract embraced in the application, and which, in a large majority of cases, would be an impossibility, honest settlers and residents have almost ceased to regard the law as valuable to them. In order to comply with its provisions, some applicants have taken their land in zig-zag shape, thereby confining it to the lands on or near a level with the streams. In one instance, I am assured that a claim is so taken as to embrace forty-four corners! The law requires claims on



unsurveyed lands to be described as nearly as possible without a survey. No connection is required to be made with the public surveys, but evidently the public surveys must eventually be connected with the lines of such claims, and to do so will involve a vast deal of extra labor in many cases, and perhaps in some an impossibility. Think of a deputy surveyor closing on one claim with forty-four corners! This mere statement suggests the necessity for an amendment to the law. The surveyor general's office will, in many cases, have imperfect descriptions of such claims, so that it will be unable to provide deputies with such data as they should have for the correct performance of their duty. All lands taken or reserved on unsurveyed lands should be surveyed with the exactness of a military or Indian or other reservation, or of a mining claim, and the surveyor general's office be supplied with a transcript of the notes of such survey.

#### TIMBER LAND.

Timber (valuable for commercial purposes) in Arizona grows on the mountain lands. South of the Gila Valley, nearly all of it is found near the tops of mountains or in craggy and precipitous cañons; and is inaccessible for wagons without first building expensive roads; and in some instances the mountains are so steep and rough that passable wagon roads cannot be made to the timber. Some of the lumber used in Tucson is taken from a mountain some thirty miles distant, and the logs are cut and slid down a long distance, because of the impossibility of building a practicable road to where the trees are found. North of the Gila Valley much of the valuable timber is found in like places, and none of it worth mentioning on land that ever will be occupied under the homestead or pre-emption acts. The timber is difficult of access and so costly to procure that it is only cut for the actual needs of settlers. Much of the land on which it grows would be most difficult to survey, and well-informed deputies would hardly contract to survey much of it at the rates allowed by law. Near Prescott, and eastward therefrom, there is considerable timber land that might be surveyed at the legal rates. Owing to the limited appropriations given this district for public land surveys, and the fact that *bona fide* settlers would not occupy timber lands, have induced me to make no effort to survey the lands valuable only for timber or perhaps for timber and minerals. If surveyed, such lands might be applied for by men with a view to abandonment after taking from them the most valuable timber. Settlers must have timber. The necessity for it is almost as imperative as for the water of the streams, and the grasses of the mesas and mountains. Necessity alone makes them take it at great cost of labor and money. Technically they steal the timber, but it would not be comfortable for a man to call his neighbor a thief because he is engaged in lumbering in Arizona. Perhaps, if the timber alone were offered to him at a fair price by a proper government officer, he would readily purchase it, for very few hard-working and reputable men, as lumbermen generally are, care to deliberately subject themselves to criminal prosecutions. So far as I can learn, they would gladly pay \$1.25 per acre for the timber without the land. Laws that would be justly applicable to the timber lands of portions of California, Oregon, Washington Territory, and Wisconsin, Minnesota, and other Northwestern States, would hardly be just as to those in Arizona, New Mexico, Utah, and Idaho. The only practicable way to economize the timber of our mountains is to, in the speediest possible way, sell it to individuals with or without the lands. If Congress is unwilling to accept reports of local officers regarding this important subject as a basis of proper legislation, then it should send members of its own body to ascertain and report the facts. As matters now stand, the timber is being used without that regard to economy which the best interest of our people ought to demand; government is getting nothing for the timber; and when the valuable timber is cut off, hardly anybody would receive the land as a gift.

#### PRIVATE LAND CLAIMS.

Your instructions of January 9, 1877, regarding the investigation of title to private land claims, were received by me February 3. The same day I telegraphed Hon. H. S. Stevens, our Delegate in Congress, that I could not effectually execute them unless Congress appropriated the money estimated to be necessary, and asked him to confer with you thereon. He did what he could to procure the appropriation, but Congress refused or neglected to make it. February 5, I addressed a communication to your office in acknowledgment of the instructions and gave reasons why I could not proceed to execute them. May 25, I transmitted to your office a special estimate to be presented to the extra session of Congress to convene October 15, and have received advice that you will accordingly present the matter to Congress.

May 29, papers in the case of the Arivaca claim were presented for filing and action thereon by Mr. Charles D. Posten in person. I offered to receive and take such care of them as my means of safety enabled me to do; but upon seeing I had only wooden desks with wooden drawers in which to keep them, he preferred to retain them in his possession. About August 1, Mr. Robert Perrin, in person, offered to file papers in cer-

tain cases. After showing him my means for their safe keeping, he carried them with him to San Francisco. I cite these instances to show that claimants regard a good safe necessary to this office, and that Congress may recognize the fact that people who are decidedly anxious to have their titles investigated and passed upon, regard my delay in the premises well founded. To get a safe here it will have to be hauled by wagon 300 miles, and, as before stated, \$1,200 will be required to procure such a one as is needed. To purchase a safe, procure record and other books, and necessary articles in this connection, \$2,000 ought to be appropriated in addition to the \$1,500 already appropriated for incidental expenses for this fiscal year. Mr. Perrin asked if he and those acting with him could not be permitted to advance the money needed to properly open and conduct the investigation. Of course they could not be permitted to do so, and I only cite this case to show that Congress ought certainly to provide means for the execution of a law of its own enactment when those for whose benefit the law was enacted are willing, if admissible, to do so. Upon the strictest business principles, Congress should act in this matter as requested, and that, too, without delay.

For the fiscal year ending June 30, 1877, there was \$2,000 apportioned for survey of *confirmed* private land claims in this district, and \$5,000 for the present fiscal year. None of the \$2,000 was used, and it is very doubtful if any of the \$5,000 will be, even with the utmost expedition on the part of Congress and this office.

#### GENERAL PROGRESS.

Arizona is gradually increasing in population and wealth. Her exports consist chiefly of gold, silver, copper, lead, wool, and hides, and the increase in each is highly encouraging; and she produces flour, bacon, lard, butter, cattle, mules, and horses enough for the actual population, and furnishes some of these items for military and Indian consumption. Horses, cattle, and sheep are being brought here from California and Texas, and among them are many blooded animals. Stock of all kinds is healthy in Arizona, and the winters are so mild that they never need shelter, and they fatten on the natural grasses the whole of the year. During the present year there has been a noticeable increase in the amount of peaches, grapes, apples, and other fruits, and a corresponding improvement in their quality. Many privations incident to newly settled Territories are things of the past. Better dwellings are being erected and furnished in a manner that clearly indicates a purpose of the owners to permanently remain. The Territory has passed through that period wherein much of the population was undecided whether to remain or go elsewhere. To the hostility of the Indians much of this uncertainty was due. There is now no reasonable doubt that peace will hereafter prevail. The general prosperity of the people ought to be very satisfactory. Not a single case of failure among merchants has occurred for over a year. Very few, if any, people are necessarily idle, and the demand for labor is gradually increasing.

This condition of advancement has been reached at great disadvantage in some respects. Much of our imports has been transported from 300 to 500, and some 900 miles from the steamer and railway, at an expense of from eight to twelve cents per pound, and our best means of travel and transporting the mails were stages over like distances. This drawback prevailed when we had to import much and had but little to export. Now the Southern Pacific Railroad runs daily passenger and freight trains to our western border on the Colorado River, and will soon extend to the heart of the Territory; and as transportation is quickened and cheapened, our imports are decreasing and exports increasing, relatively speaking. And owing to this general advancement made by capital and labor in Arizona, it is but reasonable that Congress should be asked to shape its legislation with reference to our various classes of lands, so as to promote the welfare of the people. In doing so the government will also be benefited.

Very respectfully, your obedient servant,

JOHN WASSON,  
*Surveyor General.*

To HON. J. A. WILLIAMSON,  
*Commissioner General Land Office, Washington, D. C.*

A 1.—Statement of contracts entered into by the United States surveyor general for Arizona with deputy surveyors for the survey of public lands in Arizona during the fiscal year ending June 30, 1877, and payable out of the apportionment to Arizona for that year.

Name of deputy surveyor.	Date of contract.	Description of work.	Meridian.	Amount of contract.	Amount returned.	Amount audited.
Theodore F. White ....	Sept. 18, 1876	1. Survey of tracts in township 14 south, range 13 east.....	Gila and Salt River ...	\$5,000 00	\$224 67	\$224 67
C. Burton Foster.....	Oct. 11, 1876	2. Townships in Sonoita and Santa Cruz Valleys .....	.....do .....	4,000 00	2,578 77	2,578 77
		Survey township 15 north, range 4 west; township 13 north, range 2 east; township 11 north, range 6 west; lands at Date Creek and in Chino and Upper Verde Valleys.	.....do .....		Not completed.	
Theodore F. White ....	Dec. 7, 1876	Connect boundary of Camp Grant military reservation with lines of public surveys, and surveys lands along the Gila River.	.....do .....	4,500 00	4,613 54	4,500 00
Do.....	Dec. 28, 1876	Continue surveys along the Gila River.....	.....do .....	2,196 56	2,186 67	

A 2.—Statement of contracts entered into by the United States surveyor general for Arizona with deputy surveyors for the survey of public lands during the fiscal year ending June 30, 1877, and payable out of the deposits made by individuals.

Name of deputy surveyor.	Date of contract.	Description of work.	Meridian.	Amount of contract.	Amount returned.	Amount audited.
C. Burton Foster.....	Dec. 6, 1876	Survey outboundaries of location No. 5 of Luis Ma. Baca's heirs.....	.....do .....	\$750 00	\$750 00	\$750 00
Theodore F. White ....	Mar. 5, 1877	Survey township containing Sulphur Spring ranch, in Pima County, viz, township 16 south, range 25 east.	Gila and Salt River....	605 18	605 18	605 18

B 1.—Statement of account of apportionment for surveys of public lands in Arizona for the fiscal year ending June 30, 1877.

Date of account.	In favor of—	Date of contract.	Amount.	Date.	On account of—	Amount.
Dec. 30, 1876	Theodore F. White.....	Sept. 18, 1876	\$224 67	Aug. 23, 1876	By apportionment to Arizona for fiscal year ending June 30, 1877.	\$13,500 00
Feb. 19, 1877	.....do.....	Sept. 18, 1876	2,578 77			
May 26, 1877	.....do.....	Dec. 7, 1876	4,500 00			
July 31, 1877	.....do.....	Dec. 28, 1876	2,186 67			
	Balance of apportionment applicable to contracts made prior to June 30, 1877, (as below.)		4,009 89			
			13,500 00			13,500 00
	C. Burton Foster .....	Oct. 11, 1876	4,000 00		By balance of apportionment applicable to contracts made prior to June 30, 1877.	4,009 89
	Estimated surplus from contracts made prior to June 30, 1877.	.....	9 89			
			4,009 89			
				June 30, 1877	By balance of apportionment.....	9 89

**B 2.—Statement of accounts arising from contracts entered into by the United States surveyor general of Arizona with deputy surveyors for the survey of private land claims during fiscal year ending June 30, 1877.**

Date of account.	In favor of—	Date of contract.	Amount.	Date.	On account of—	Amount.
Apr. 7, 1877	C. Burton Foster .....	Dec. 6, 1876	\$750 00	Aug. 23, 1876	Apportionment for survey of outboundaries of confirmed private land claims, (unavailable.)	\$2,000 00
	Office work .....		75 00		Deposit by Merchants' Exchange Bank of San Francisco, for survey of location No. 5, Luis Ma. Baca's heirs.	825 00
June 30, 1877	Balance of apportionment, (unavailable) .....		2,000 00	Nov. 2, 1876		
			<u>2,825 00</u>			<u>2,825 00</u>
				June 30, 1877	Unexpended balance .....	<u>2,000 00</u>

**B 3.—Statement of accounts arising from contracts entered into with deputy surveyors for survey of public lands in Arizona, and payable out of deposits made by individuals during fiscal year ending June 30, 1877.**

Date of account.	In favor of—	Date of contract.	Amount.	Date.	On account of—	Amount.
Mar. 5, 1877	Theodore F. White .....	Mar. 5, 1877	\$605 18	Mar. 5, 1877	Deposit made by I. S. Fried, administrator of estate of N. M. Rodgers, deceased, for survey of township containing Sulphur Spring Ranch, in Pima County.	\$730 00
	Office work .....		40 00			
	Balance due I. S. Fried, administrator, &c .....		84 82			
			<u>730 00</u>			<u>730 00</u>
					Balance due I. S. Fried, administrator, &c. ....	<u>84 82</u>

C.—Statement of the account of the appropriations for the salary of the surveyor general of Arizona, for clerks in his office, and for incidental expenses, for the fiscal year ending June 30, 1877.

DR.

CR.

Date.	Account.	Amount.	Date.	Appropriation.	Amount.
June 30, 1877	To amount paid John Wasson for services as surveyor general for year ending this date ..	\$3,000 00	Aug. 15, 1876	By appropriation for compensation of surveyor general of Arizona .....	\$3,000 00
June 30, 1877	To amount paid clerk and draughtsman for year ending this date .....	3,297 83	Aug. 15, 1876	By appropriation for compensation of clerks in surveyor general's office, Arizona .....	3,297 83
June 30, 1877	To amount of incidental expenses for year ending this date .....	1,490 67	Aug. 15, 1876	By appropriation for incidental expenses of surveyor general's office, Arizona .....	1,500 00
June 30, 1877	To balance of appropriation for incidental expenses .....	9 33			
		7,797 83			7,797 83
			June 30, 1877	Unexpended balance ....	9 33

D.—Account of the fund created by individual depositors in Arizona for the survey of public lands during the fiscal year ending June 30, 1877.

DR.

CR.

Date.	Account.	Amount.	Date.	Account.	Amount.
June 30, 1877	To amount of salaries paid mining clerks and draughtsmen during fiscal year ending this date .....	\$1,500 00	June 30, 1876	By balance of fund on hand June 30, 1876 .....	\$1,623 10
June 30, 1877	To balance of fund .....	1,158 10	June 30, 1877	By amount deposited by claimants during fiscal year ending this date ..	1,035 00
		2,658 10			2,658 10
				Balance of fund on hand	1,158 10

E.—Statement of plats made in office of the surveyor general of Arizona during the fiscal year ending June 30, 1877.

Description.	Original.	Department.	Registrar.	Claimants.	Totals.
Plats of standard and township lines .....	5	5			10
Plats of section lines .....	30	30	30		90
Plats of mining and mill site claims .....	23		23	46	92
Plats of private land claims .....	1	1	1	1	4
Plats of fields .....	3	3	3		9
Plats of lines connecting Camp Grant military reservation with public surveys .....	1	1	1		3
Total .....	63	40	58	47	208

F.—Statement of the number of miles surveyed in Arizona during the fiscal year ending June 30, 1877.

Name of deputy surveyor.	Date of contract.	Base.	Meridian.	Standard.	Township.	Section.	Traverse.	Meander.	Reservation exteriors.	Private land claims.
		<i>M. chs. lks.</i>	<i>M. chs. lks.</i>	<i>M. chs. lks.</i>	<i>M. chs. lks.</i>	<i>M. chs. lks.</i>	<i>M. chs. lks.</i>	<i>M. chs. lks.</i>	<i>M. chs. lks.</i>	<i>M. chs. lks.</i>
Theodore F. White.....	Dec. 6, 1875				50 78 34	315 06 62				
Do.....	Sept. 18, 1876							37 35 70		
Do.....	Sept. 18, 1876			12 06 60	77 36 19	319 23 81				
C. Barton Foster*.....	Oct. 11, 1876									
Do.....	Dec. 6, 1876									49 68 89
Theodore F. White.....	Dec. 7, 1876				141 15 35	598 54 63				
Do.....	Dec. 28, 1876				64 74 22	285 48 05				
Do.....	Mar. 5, 1877			12 00 00	17 78 35	59 71 03				
Total.....				24 06 60	352 42 45	1,578 44 14		37 35 70		49 68 89
Surveyed previous to June 30, 1876		55 78 53	57 48 15	772 37 90	3,037 15 71	8,396 57 70	19 77 60	114 57 74	203 38 48	
Totals surveyed to June 30, 1877		55 78 53	57 48 15	796 44 50	3,389 58 16	9,975 21 84	19 77 60	152 13 44	203 38 48	49 68 89

\* Not completed.



G.—Statement of the surveys of mining and mill site claims in Arizona during the fiscal year ending June 30, 1877.

Date of survey.	Designation of claim.	Location.	Character.	Claimants.	Area.	Amount of deposit.
					<i>Acres.</i>	
Sept. 2, 1876	Oriental.....	Yavapai County	Silver.....	A. V. Kantz.....	10.502	\$40 00
June 22, 1876	California.....	do	Gold and silver.....	Williams & Sheekels.....	7.80	40 00
Dec. 2, 1876	Discovery location on War Eagle Lode.....	do	do	W. J. Tompkins & Co.....	4.59	40 00
Dec. 2, 1876	First extension south on War Eagle Lode.....	do	do	F. W. Williams & Co.....	3.67	40 00
Dec. 4, 1876	First extension north on War Eagle Lode.....	do	do	C. Jackson & Co.....	3.65	40 00
Dec. 4, 1876	Second extension north on War Eagle Lode.....	do	do	Levi Bashford & Co.....	3.67	40 00
Dec. 5, 1876	Third extension north on War Eagle Lode.....	do	do	J. P. Hargrave & Co.....	3.47	40 00
Dec. 6, 1876	L. B. Jewell & Co.'s claim on Tiger Lode.....	do	Silver.....	L. B. Jewell & Co.....	3.46	40 00
Dec. 14, 1876	J. A. Rush's claim on the Dividend Lode.....	do	Silver and gold.....	John A. Rush.....	20.66	40 00
Dec. 13, 1876	Discovery location on Independence Lode.....	do	do	A. L. Moeller and L. A. Stevens.....	20.66	40 00
Dec. 6, 1876	Simmons's location on the Tiger Lode.....	do	Silver.....	J. W. Simmons & Co.....	2.75	40 00
Dec. 16, 1876	Big Bug.....	do	Gold and silver.....	Michael Wormser.....	20.66	40 00
Dec. 18, 1876	M. Wormser's location on the Eugenie Lode.....	do	do	do	20.66	40 00
Dec. 15, 1876	Galena.....	do	do	do	20.66	40 00
Jan. 9, 1877	Silver Prince.....	do	Silver.....	Curtin & Houghtelin.....	19.97	40 00
Dec. 14, 1876	A. L. Moeller's location on the Dividend Lode.....	do	Gold and silver.....	A. L. Moeller.....	20.66	40 00
Jan. 8, 1877	Alta.....	Pima County	Silver and other precious metals.....	Harshaw, Long & Fagan.....	20.11	40 00
Jan. 9, 1877	Alta mill site.....	do	Non-mineral.....	do	5.00	40 00
Apr. 13, 1877	Second extension north on Grey Eagle Lode.....	Yavapai County	Gold and silver.....	J. N. Rodenburg & Co.....	4.41	40 00
Apr. 17, 1877	Bashford claim on Goodwin Lode.....	do	Silver.....	Levi Bashford & Co.....	9.81	40 00
Apr. 16, 1877	Lone Juniper.....	do	do	J. N. Rodenburg & Co.....	15.13	40 00
Apr. 28, 1877	First extension north on Peck Mine.....	do	do	Peck Mining Company.....	20.60	40 00
Apr. 29, 1877	Peck.....	do	do	do	20.60	40 00

H.—List of lands surveyed in Arizona for the fiscal year ending June 30, 1877.

Description.	Meridian.	Public lands.	Riverland.	Unsurveyed lands.
		Acres.	Acres.	Acres.
Township 2 south, range 3 east*	Gila and Salt River	21,928.43		
Township 3 south, range 3 east*	do	16,671.51		
Township 3 south, range 4 east*	do	6,759.78		
Township 4 south, range 4 east*	do	22,859.13		
Township 4 south, range 5 east*	do	15,621.94		
Township 4 south, range 7 east*	do	13,422.09		
Township 4 south, range 8 east*	do	22,979.23		1,120.00
Township 21 south, range 13 east.	do	21,903.51		4,320.68
Township 22 south, range 13 east.	do	18,709.56		
Township 23 south, range 13 east.	do	23,029.49		18,080.50
Township 22 south, range 14 east.	do	4,958.20		
Township 23 south, range 14 east.	do	24,906.56		7,840.00
Township 22 south, range 15 east.	do	15,170.24		
Township 21 south, range 16 east.	do	13,204.61		9,750.00
Township 16 south, range 25 east.	do	22,951.71		
Township 5 south, range 9 west.	do	23,027.10		
Township 5 south, range 10 west.	do	23,035.22		
Township 6 south, range 10 west.	do	22,993.04		
Township 5 south, range 11 west.	do	22,555.32		
Township 6 south, range 11 west.	do	23,026.18		
Township 5 south, range 12 west.	do	23,026.54		
Township 6 south, range 12 west.	do	23,040.62		
Township 7 south, range 12 west.	do	22,975.57		
Township 6 south, range 13 west.	do	22,982.31		
Township 7 south, range 13 west.	do	23,006.77		
Township 6 south, range 14 west.	do	23,000.44		
Township 7 south, range 14 west.	do	22,972.11		
Township 6 south, range 15 west.	do	22,960.94		
Township 7 south, range 15 west.	do	22,961.19		
Township 8 south, range 15 west.	do	16,574.19		6,080.00
Total		603,213.53		47,191.18
Baca location No. 5		99,445.71		
Total surveyed during year.		702,659.24		47,191.18
Amount previously returned		3,169,819.12	1,906.89	424,901.53
Grand total		3,872,478.36	1,906.89	472,092.71

\* On Pima and Maricopa Indian Reservation.

I.—Estimates for the surveying service in Arizona for the fiscal year ending June 30, 1879.

UNITED STATES SURVEYOR GENERAL'S OFFICE,  
Tucson, Arizona, July 17, 1877.

SIR: In accordance with your circular of April 3, 1877, (E. left corner,) I herewith submit the following estimates for the surveying service within this district for the fiscal year ending June 30, 1879:

For continuing the survey of meridian, standard, township, and section lines of public lands	\$20,000 00
For survey of confirmed private land claims	5,000 00
For salary of surveyor general	3,000 00
For salary of clerks in office	4,000 00
For salary of clerk to aid in investigation of titles to private land claims.	2,500 00
For rent, fuel, stationery, and other incidental expenses	2,500 00
Total	37,000 00

REMARKS.

The apportionment of \$8,850 for the survey of public lands for the present fiscal year is a very small sum, and before the new appropriation will be available the sum of \$20,000 will not more than meet the actual wants of the settlers, judged by the present influx of population; and, with the railway now within our western border, increased immigration may be expected. Millions of acres should be surveyed which the present law says shall not be.

Stock growing is a leading interest, and constantly increasing. Stock men find a spring of water in the mountains or sink a well in the grassy plains, and thus have abundance of water for stock, but not for agriculture. They want and should have title to their lands. Under the present law their land cannot be surveyed. These men are pursuing a most important industry, and Congress should provide a way by which

they can procure title to land which they actually occupy, and the law should be so amended as to meet the rightful demands of this worthy class of settlers.

Again, the law should be so amended as to permit surveys of pasture lands adjacent to the valleys with streams sufficiently large to irrigate the valley lands. In hundreds of instances settlers in perfect good faith make settlements for homes along small streams in narrow valleys, and reasonably ask for the survey of their lands; and, under the present law, it is doubtful if their demands can be complied with lawfully, for, in most instances, unsurveyable land forms part of the very quarter sections occupied by the settlers. The formation of the country is peculiar, and a rigid enforcement of the present law would either prevent thousands of settlers from getting title to their lands, or compel the survey of tracts from a few rods to a mile or so in width without regard to the cardinal points of the compass. I could now cite many cases in my own district as illustrations of the hardship to settlers under the present law.

Regarding estimates for the service connected with private land claims, I now have estimates in for the present fiscal year, to go before the special session of Congress. If appropriated, only the amount allowed for incidental expenses will be wholly used, as in no case would a clerk in this connection be employed before January, or later in 1878. Therefore a clerk would be most needed for the next fiscal year, during which the examination, with prompt action on the part of the claimants, would be completed.

The cost of living here is such that a competent chief clerk cannot be had, except temporarily, at less than \$2,500 per annum.

Owing to the additional incidental expense connected with the examination of titles to private land claims, I am sure \$2,500 will be required to insure efficiency, and should the same not all be actually needed the excess would revert to the Treasury.

There are no arrears of office work in this office that will not fully be brought up before the work under the new apportionment comes in; hence, I transmit no statement as directed in your circular of April 3, 1877.

Very respectfully, your obedient servant,

JOHN WASSON,  
*Surveyor General.*

HON. J. A. WILLIAMSON,  
*Commissioner General Land Office, Washington, D. C.*

### N.—*Report of the Surveyor General of Washington Territory.*

SURVEYOR GENERAL'S OFFICE, WASHINGTON TERRITORY,  
*Olympia, August 7, 1877.*

SIR: I have the honor to transmit herewith, in duplicate, a report of the surveying operations in this district for the fiscal year ending June 30, 1877.

Accompanying and forming a part of this report are the following tabular statements, viz:

A.—Statement showing the condition of contracts not closed at date of last annual report.

B.—Statement of contracts let for the survey of public lands in Washington Territory, the number of miles and acres in each township, the number of plats made, and the amount paid on contracts for the fiscal year ending June 30, 1877.

C.—Statement of special deposits for the survey of public lands in Washington Territory for the fiscal year ending June 30, 1877.

D.—Statement of descriptive lists sent to local land office for the fiscal year ending June 30, 1877.

E.—Statement of appropriation for incidental expenses of office of surveyor general of Washington Territory for the fiscal year ending June 30, 1877.

F.—Statement of appropriation for salary of surveyor general of Washington Territory, and clerks in his office, for the fiscal year ending June 30, 1877.

G.—Estimated amount required for the surveying service in Washington Territory for the fiscal year ending June 30, 1877.

I also transmit herewith the annual map, showing the progress of surveys in Washington Territory to this date.

Owing to the unwise reduction in the rates per mile for surveys, without discrimination as to the character of the work, I was obliged to expend all the small appropriation for the past fiscal year east of the mountains, where I endeavored to so distribute it as to accommodate the settlers and include the most available lands for settlement. The delay in passing the appropriation for last year, and in receiving official notice thereof, rendered it too late to do much work last fall, and consequently the most of the work had to be done this last spring; much of which is not yet returned by the deputies.

The increase of the rates in heavily timbered lands from \$6 to \$10 per mile for section lines will not yet induce the most competent deputies to contract for this character of work in the rough and densely timbered portions of this Territory.

I would, therefore, respectfully recommend an increase to \$12 per mile for such work, and \$8 per mile for section lines east of the mountains, where the work hereafter will not admit of large tracts being surveyed in any one locality; hence, a greater expense is incurred by the deputy.

#### APPROPRIATIONS FOR SURVEYS.

While I cheerfully indorse every act of the government relating to true and practical economy in all its departments, yet I cannot allow the mistaken policy of the last Congress in regard to public surveys to pass unnoticed.

For the year ending June 30, 1877, this district had an appropriation for public surveys of \$20,000, which, at the rates allowed per mile, rendered it entirely unavailable west of the Cascade Mountains. In order to execute the office work in a proper manner, and within a reasonable time, it was necessary to incur an expense of \$3,500, which, with an additional expense of \$1,200 for clerical work, I could have performed the office work for an appropriation of \$50,000. The showing is still worse for the year ending June 30, 1878.

This district has only \$16,000 awarded for public surveys, while the cost of expending the same will be \$8,000.

Should this mistaken policy continue, I would respectfully recommend that this office be consolidated with the Oregon office, and thereby save the expense of two office forces, when one can perform the work of both districts, unless the appropriations for public surveys are increased. It seems to me that it would be true economy to complete the public surveys as soon as possible, and thereby obviate the necessity of continuing so large an office force, which must be done as long as any field work remains unfinished.

#### REFORMS IN THE PUBLIC SURVEYS.

Nearly four years' experience in this office has fully convinced me that the contract system for executing the public surveys is entirely wrong, and never should have been adopted.

Under this system a strong inducement is constantly offered to the deputy surveyor, prompted by self-interest, to slight his work, without much fear of being detected for perhaps many years after the work is done. Evidence of imperfect and even erroneous surveys can be found in almost every district, not caused by unavoidable errors alone, but by the anxiety of the deputy to perform the greatest amount of work in the shortest possible time, and thereby make the most out of his contract. This rule holds good, regardless of the price per mile.

To avoid and do away with this defective system, I would respectfully recommend that the law be so amended that the surveyor general be authorized to employ a sufficient number of competent deputies, at a stipulated salary per month, including all necessary and legitimate expenses, to do the work, on the same principle that the United States coast surveys are made. Under a system of this kind I am satisfied the cost of the surveys of the public lands would not be increased, and the work would be much better done in every instance. The amount of work which a deputy with his party can perform in a given time is too well known by every practical surveyor to allow any unnecessary delay on his part, while in the field, without being detected by his superiors, even should he be so inclined.

#### AGRICULTURAL LANDS.

Under this head I can only add to what I have already said in my former reports, that the valuable wheat lands of Eastern Washington are just beginning to be understood and appreciated.

Large tracts are sown to wheat this year, and in many instances the present crop will pay for the land and all other expenses incident to its growth. The prospect of the early improvement of the Columbia and Snake Rivers will give this Territory about five hundred miles of uninterrupted river navigation, or over two hundred miles through the best wheat-growing region on the Pacific slope.

#### TIMBERED LANDS.

The best timbered lands in this Territory are being rapidly taken up under the pre-emption law at a price far below their present value. I have heretofore urged the importance of the passage of some law by Congress graduating the price of these lands, that the government might receive something like their value by appraisement, the

same as all corporations or individuals would do if owning such property. I can see no propriety or wisdom in selling such lands at uniform rates, nor of allowing the choice portions to be selected under the pre-emption act for the benefit of a third party.

#### COAL.

Since my last report much has been done toward developing this important commodity in this Territory, and to bring it into market. Railroads have been built to all three of the mines east and south of Seattle; and about thirty miles of railroad is nearly completed to the Puyallup mines east of Tacoma. Coal of a very superior quality is being discovered all along the foot-hills of the Cascade Mountains, and in great abundance, which will soon add much to the wealth of our Territory.

#### IMMIGRATION.

Since my last annual report, and up to the time of the breaking out of the late Nez Percé war in Western Idaho, the number of immigrants which were coming into the eastern portion of this Territory was unprecedented, exceeding by far any former period in the history of this Territory. The slight check which this panic produced is already about overcome, as there are but few who fear any trouble from the Indians within our own borders, and most of the settlers are already returning to their homes.

Very respectfully, your obedient servant,

W. McMICKEN,  
*Surveyor General Washington Territory*

Hon. J. A. WILLIAMSON,

*Commissioner General Land Office, Washington, D. C.*

*A.—Statement showing the condition of contracts not closed at date of last annual report.*

Contract.		Name of deputy.	Character and location of work.	Number of miles surveyed.					Acres.	Plats made.				Amount paid on contracts.	Remarks.
Number.	Date.			Standard.	Township.	Section.	Meander.	Total.		Original.	General Land Office.	District land office.	Total.		
203	July 1	Gile & Whealdon	Fractional east boundary subdivisions and meanders of township 11 north, range 9 west.	<i>M. C. L.</i>	<i>M. C. L.</i>	<i>M. C. L.</i>	<i>M. C. L.</i>	<i>M. C. L.</i>	4,308.94	1	1	1	3	\$298 60	Completed.
213	Aug. 3	Thomas M. Reed	West boundary subdivisions and meanders of township 15 north, range 5 west.	.....	5 79 83	59 69 64	60 80	66 50 27	22,866.27	1	1	1	3	944 79	Do.
			Subdivisions township 16 north, range 5 west.	.....	.....	8 77 20	.....	8 77 20	3,800.44	1	1	1	3	125 51	Do.
214	Aug. 3	Truax & Briggs	Exteriors of townships 13 and 14 north, ranges 37, 38, 39, and 40 east.	.....	60 29 02	.....	.....	60 29 02	.....	1	1	.....	2	845 08	Do.
216	Aug. 26	Smith & Spray	West boundary and subdivisions of township 4 north, range 11 east.	.....	6 02 43	13 78 83	.....	20 01 24	4,450.09	1	1	1	3	292 28	Do.
217	Sept. 10	Truax & Briggs	Subdivisions and meanders of township 13 north, range 40 east.	.....	.....	59 63 92	9 25 91	69 09 83	22,210.65	1	1	1	3	1,551 01	Do.
			Subdivisions of township 13 north, range 41 east.	.....	.....	60 10 31	.....	60 10 31	23,034.46	1	1	1	3		
Total number of miles run .....				.....	75 31 28	215 10 60	15 48 08	306 09 96	.....	.....	.....	.....	.....	.....	.....
Total number of acres surveyed .....				.....	.....	.....	.....	.....	80,720 85	.....	.....	.....	.....	.....	.....
Total number of plats made .....				.....	.....	.....	.....	.....	.....	7	7	6	20	.....	.....
Total amount paid on contracts .....				.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	4,057 27	.....

*Exhibit No. 1.*

Balance of appropriation for the year ending June 30, 1876 .....	\$4,060 73
Amount paid on contracts, as above .....	4,057 27
Balance .....	3 46

SURVEYOR GENERAL'S OFFICE,  
Olympia, Wash. T., August 7, 1877.

W. McMICKEN,  
Surveyor General of Washington Territory.

Contract.		Name of deputy.	Character and location of work.	Number of miles surveyed.	
Number.	Date.			Standard.	Township.
222	1876. Sept. 30	Truax & Briggs...	West boundary of township 9 north, range 44 east, and second standard parallel north, through ranges 44, 45, 46, and 47 east. Exteriors of townships 9, 10, 11, and 12 north, ranges 44 and 45 east. Exteriors of townships 9, 10, 11, and 12 north, range 46 east. Subdivisions of township 14 north, range 37 east. Subdivisions of township 14 north, range 38 east. Subdivisions of township 14 north, range 39 east. Subdivisions and meanders of township 14 north, range 40 east. Subdivisions of township 10 north, range 45 east. Subdivisions of township 12 north, range 45 east. Subdivisions and meanders of township 10 north, range 46 east. Subdivisions and meanders of township 11 north, range 46 east. Subdivisions of township 12 north, range 46 east. Subdivisions and meanders of township 13 north, range 43 east. Subdivisions and meanders of township 14 north, ranges 41, 42, and 43 east.	M. C. L. 18 23 50	M. C. L. 6 00 00 54 07 79 38 62 13
223	Oct. 5	Edwin Richardson	Exteriors and subdivisions of township 6 north, range 15 east. Exteriors and subdivisions of township 6 north, range 16 east. Exteriors and subdivisions of township 9 north, range 33 east. Exteriors and subdivisions of township 10 north, range 34 east. Exteriors and subdivisions of township 6 north, range 14 east. Exteriors and subdivisions of township 9 north, range 32 east. Exteriors and subdivisions of township 10 north, range 33 east.		12 00 40 12 00 00 11 76 90 12 00 20
224	Oct. 21	William Jameson.	East boundary subdivisions and meanders of township 24 north, range 2 west.		6 01 00
225	Dec. 29	W. S. Chapman ...	Subdivisions and meanders of township 9 north, range 7 west.		
226	1877. Jan. 17	Ross P. Shoecraft.	Exteriors, subdivisions, and meanders of township 31 north, range 11 west. Exteriors, subdivisions, and meanders of township 32 north, range 11 west.		15 06 50 4 28 00
227	Jan. 27	Truax & Briggs...	Exteriors, subdivisions, and meanders of townships 13, 14, 15, and 16 north, ranges 33, 34, 35, and 36 east. Subdivisions west half of township 12 north, range 44 east. Subdivisions east half of township 9 north, range 44 east. Subdivisions of township 9 north, range 45 east. Exteriors and subdivisions of township 8 north, ranges 44 and 45 east.		



number of miles and acres in each township, the number of plats made, and the amount paid year ending June 30, 1877.

Number of miles surveyed.			Acres.	Plats made.				Amount paid on contracts.	Remarks.
Section.	Meander.	Total.		Original.	General Land Office.	District land office.	Total.		
<i>M. C. L.</i>	<i>M. C. L.</i>	<i>M. C. L.</i>							
		24 23 50		1	1		2	\$3,701 24	Completed.
		54 07 79		1	1		2		Do.
		38 62 13		1	1		2		Do.
60 67 95		60 67 95	23,712.24	1	1	1	3		Do.
60 15 44		60 15 44	23,284.70	1	1	1	3		Do.
60 03 69		60 03 69	23,038.65	1	1	1	3		Do.
59 49 56	8 76 52	68 46 08	22,531.03	1	1	1	3		Do.
59 79 20		59 79 20	22,972.43	1	1	1	3		Do.
60 74 48		60 74 48	23,059.07	1	1	1	3		Do.
29 26 57	8 18 35	37 44 92	11,587.95	1	1	1	3		Completed; fractional.
26 19 49	9 31 95	35 51 44	10,350.96	1	1	1	3		Do.
27 19 21		27 19 21	11,146.15	1	1	1	3		Do.
									No returns; deputy in the field.
									Do.
59 72 23		71 72 63	22,999.14	1	1	1	3	443 46	Completed.
59 47 57		71 47 57	22,760.62	1	1	1	3	884 55	Do.
59 69 99		71 66 89	22,965.65	1	1	1	3		Do.
59 71 07		71 71 27	23,013.66	1	1	1	3	443 35	Do.
									No returns; deputy in the field.
									Do.
									Do.
50 48 07	10 53 60	67 22 67	18,708.26	1	1	1	3		Completed; fractional; special deposit.
23 14 09	5 10 47	28 24 56	8,930.17	1	1	1	3		Completed; fractional; special deposit; 640a; United States military reservation.
52 39 80	21 42 00	89 08 30	19,571.61	1	1	1	3		Completed; fractional; special deposit.
1 31 05	3 40 65	9 19 70	1,060.30	1	1	1	3		Do.
									No returns.
									Do.
									Do.
									Do.

## B.—Statement of contracts let for the survey of

Contract.		Name of deputy.	Character and location of work.	Number of miles surveyed.	
Number.	Date.			Standard.	Township.
228	1877. June 1	Snow & Navarre..	Subdivisions of township 17 north, range 21 east. Exteriors and subdivisions of township 18 north, range 21 east. Exteriors and subdivisions of township 19 north, ranges 19, 20, and 21 east.	<i>M. C. L.</i>	<i>M. C. L.</i>
229	June 14	Charles A. White.	Fourth standard parallel north, through ranges 5 and 6 east.		
Totals .....				18 23 50	172 22 92
Totals brought forward from Statement A .....					75 31 28
Total number of miles run .....				18 23 50	247 54 20
Total number of acres surveyed .....					
Number of township plats made .....					
Number of miscellaneous township, donation plats, &c., made .....					
Total number of plats and tracings made .....					
Total amount paid on contracts .....					

public lands in Washington Territory, &c.—Continued.

Number of miles surveyed.			Acres.	Plats made.				Amount paid on contracts.	Remarks.
Section.	Meander.	Total.		Original.	General Land Office.	District land office.	Total.		
<i>M. O. L.</i>	<i>M. O. L.</i>	<i>M. O. L.</i>							
.....	.....	.....	.....	.....	.....	.....	.....	.....	No returns.
.....	.....	.....	.....	.....	.....	.....	.....	.....	Do.
.....	.....	.....	.....	.....	.....	.....	.....	.....	Do.
.....	.....	.....	.....	.....	.....	.....	.....	.....	Incomplete.
811 29 46	67 33 54	1,069 29 42	311,692.59	20	20	17	57		
215 10 60	15 48 08	306 09 96	80,720.65	7	7	6	20		
1,026 40 06	83 01 62	1,375 39 38							
.....	.....	.....	392,413.44						
.....	.....	.....	.....	27	27	23	77		
.....	.....	.....	.....	.....	3	24	27		
.....	.....	.....	.....	27	30	47	104		
.....	.....	.....	.....	.....	.....	.....	.....	\$5,472 60	

Exhibit No. 1.

Amount of appropriation for the fiscal year ending June 30, 1877 .....	\$20,000 00
Amount paid on contracts, as above .....	5,472 60
Balance applicable to unfinished contracts .....	14,527 40

SURVEYOR GENERAL'S OFFICE,  
Olympia, Wash. T., August 7, 1877.

W. McMICKEN .  
Surveyor General of Washington Territory.

## C.—Statement of special deposits for the survey of public lands in Washington Territory, for the fiscal year ending June 30, 1877.

Date of deposit.	Name of depositor.	Amount deposited.			Remarks.
		For field work.	For office work.	Total.	
May 8, 1876 .....	Henry O. Geiger .....	\$120 00	\$30 00	\$150 00	Survey disapproved and contract canceled.
July 27, 1876 .....	Northern Pacific Rail- way Company.	103 01	15 10	118 11	
August 4, 1876 .....	Jasper G. Baker .....	312 00	50 00	362 00	
	Thomas H. Butcher ..	312 00	50 00	362 00	
	Robert Airey .....	312 00	50 00	362 00	
	George F. Flatau .....	154 50	37 50	192 00	
December 16, 1876..	G. W. Bennett .....	154 50	37 50	192 00	
	A. W. Bennett .....	154 50	37 50	192 00	
	William M. Reed .....	154 50	37 50	192 00	
	O. A. Dodge .....	60 00	18 75	78 75	
December 19, 1876..	R. D. Hume .....	60 00	18 75	78 75	
	J. G. Megler .....	60 00	18 75	78 75	
	John Fitzpatrick .....	60 00	18 75	78 75	
	Northern Pacific Rail- road Company.	209 97	22 57	232 54	
Total .....		2,226 98	442 67	2,669 65	

## Exhibit No. 1.

Contract.		Name of deputy.	Cost of survey.		Excess of de- posit over cost of sur- vey.	Total amount deposited.	Remarks.
No.	Date.		Field work.	Office work.			
221	May 12, 1876	Philip G. Eastwick..	.....	.....	\$150 00	\$150 00	Survey disapproved and amount re- turned to deposi- tor, H. O. Geiger.
224	Oct. 31, 1876	William Jameson...	\$409 72	\$150 00	526 28	1,086 00	
225	Dec. 29, 1876	W. S. Chapman .....	169 84	75 00	70 16	315 00	
226	Jan. 3, 1877	Ross P. Shoecraft ..	609 53	150 00	8 47	768 00	
		Unexpended balance	312 98	37 67	.....	350 65	
		Total .....	1,502 07	412 67	754 91	2,669 65	

SURVEYOR GENERAL'S OFFICE,  
Olympia, Wash. T., August 7, 1877.W. McMICKEN,  
Surveyor General of Washington Territory.

## D.—Statement of descriptive lists sent to local land office for the fiscal year ending June 30, 1877.

Township.	Range.	Township.	Range.	Township.	Range.	Township.	Range.
10 north ....	1 east.	18 north ...	4 east.	35 north ...	1 west.	35 north ....	4 west.
11 north ....	1 east.	36 north ...	4 east.	36 north ...	1 west.	36 north ....	4 west.
12 north ....	1 east.	40 north ...	4 east.	37 north ...	1 west.	37 north ....	4 west.
13 north ....	1 east.	41 north ...	4 east.	23 north ...	2 west.	13 north ....	5 west.
14 north ....	1 east.	18 north ...	5 east.	34 north ...	2 west.	15 north ....	5 west.
15 north ....	1 east.	27 north ...	5 east.	35 north ...	2 west.	17 north ....	5 west.
35 north ....	1 east.	31 north ...	5 east.	36 north ...	2 west.	19 north ....	5 west.
36 north ....	1 east.	32 north ...	5 east.	37 north ...	2 west.	20 north ....	5 west.
41 north ....	1 east.	18 north ...	6 east.	11 north ...	3 west.	21 north ....	5 west.
13 north ....	2 east.	19 north ...	6 east.	12 north ...	3 west.	18 north ....	6 west.
15 north ....	2 east.	25 north ...	6 east.	18 north ...	3 west.	19 north ....	6 west.
16 north ....	2 east.	24 north ...	7 east.	23 north ...	3 west.	20 north ....	6 west.
36 north ....	2 east.	25 north ...	7 east.	24 north ...	3 west.	18 north ....	7 west.
16 north ....	3 east.	26 north ...	7 east.	34 north ...	3 west.	19 north ....	7 west.
37 north ....	3 east.	27 north ...	7 east.	35 north ...	3 west.	18 north ....	8 west.
38 north ....	3 east.	28 north ...	7 east.	36 north ...	3 west.	19 north ....	8 west.
39 north ....	3 east.	3 north ...	9 east.	12 north ...	4 west.	10 north ....	9 west.
41 north ....	3 east.	3 north ...	10 east.	16 north ...	4 west.	11 north ....	9 west.
17 north ....	4 east.	34 north ...	1 west.	17 north ...	4 west.	19 north ....	9 west.

SURVEYOR GENERAL'S OFFICE,  
Olympia, Wash. T., August 7, 1877.W. McMICKEN,  
Surveyor General of Washington Territory.

E.—Statement of appropriation for incidental expenses of office of surveyor general of Washington Territory for the fiscal year ending June 30, 1877.

Date.	Account.	Amount.	Date.	Appropriation.	Amount.
1877. June 30	Amount of accounts forwarded for incidental expenses for fiscal year ending this date .....	\$1,499 86	1876. July 31	Amount of appropriation for the fiscal year ending June 30, 1877.....	\$1,500 00
	Balance .....	14			
		1,500 00			1,500 00

W. McMICKEN,

Surveyor General of Washington Territory.

SURVEYOR GENERAL'S OFFICE,  
Olympia, Wash. T., August 7, 1877.

F.—Statement of the appropriation for salary of the surveyor general of Washington Territory and clerks in his office for the fiscal year ending June 30, 1877.

Date.	Account.	Amount.	Date.	Appropriation.	Amount.
1877. June 30	Amount paid surveyor general and clerks in his office for the fiscal year ending this date .....	\$7,525 00	1876. Aug. 15	Appropriation for salary of surveyor general and clerks in his office for the fiscal year ending June 30, 1877.....	\$7,061 14
	Amount overdrawn from special deposit fund .....	226 37			
	Balance unexpended .....	122 44	1877. Mar. 3	Deficiency appropriation ...	400 00
				Special deposits for office work .....	412 67
		7,873 81			7,873 81

W. McMICKEN,

Surveyor General of Washington Territory.

SURVEYOR GENERAL'S OFFICE,  
Olympia, Wash. T., August 7, 1877.

G.—Estimated amount required for the surveying service in Washington Territory for the fiscal year ending June 30, 1879.

FOR FIELD WORK.

For surveying 30 miles of standard lines, at \$16.....	\$480
For surveying 15 miles of standard lines, at \$12.....	180
For surveying 756 miles of township lines, at \$14.....	10,584
For surveying 474 miles of township lines, at \$10.....	4,740
For surveying 3,820 miles of section lines, at \$12.....	45,840
For surveying 3,360 miles of section lines, at \$8.....	26,880
	<u>\$88,704</u>

FOR OFFICE WORK.

For salary of surveyor general .....	\$2,500
For salary of chief clerk .....	1,600
For salary of chief draughtsman .....	1,500
For salary of assistant draughtsman .....	1,200
For salary of three copying clerks.....	3,600
For rent of office, fuel, lights, pay of messenger, and other incidental expenses.....	2,000
	<u>12,400</u>
Total estimate .....	101,104

W. McMICKEN,

Surveyor General of Washington Territory.

SURVEYOR GENERAL'S OFFICE,  
Olympia, Wash. T., August 7, 1877.

*O.—Report of the surveyor general of Oregon.*

OFFICE UNITED STATES SURVEYOR GENERAL,  
Portland, Oreg., August 23, 1877.

SIR: I have the honor herewith to submit in duplicate my annual report of this surveying district for the year ending June 30, 1876, accompanied by tabular statements as follows:

- A.—Statement showing the condition of contracts which were not closed at date of last annual report.
- B.—Statement of contracts made for the survey of public lands in the district in the fiscal year ending June 30, 1877.
- C.—Statement of original plats of public surveys and copies transmitted since June 30, 1876, showing areas of public lands surveyed, &c.
- D.—Statement of original plats of mining claims and copies transmitted since June 30, 1876.
- E.—Statement of salaries paid surveyor general and the clerks of his office in fiscal year ending June 30, 1877.
- F.—Statement of condition of special deposits for survey of public lands in fiscal year ending June 30, 1877.
- G.—Statement of condition of the appropriation for incidental expense, &c., for fiscal year ending June 30, 1877.
- H.—Estimate of funds required for the surveying service in Oregon for the fiscal year ending June 30, 1879.

In Oregon, agriculture is and will continue to be the chief pursuit of her people. It is the dominant interest, favored by every natural condition. A fresh and prolific soil; a soft and genial climate, shading from season to season by mild gradations of temperature; the unfailing supply and even distribution of moisture, and the admirable diversity of woods, rivers, and plains, combine to distinguish this young State as the Acadia of the thrifty husbandman—a land rich in all the good gifts of the garden and field. Beautiful and industrious homes, civilization's first temples, will cluster thickly here, and the golden sheaf of Ceres, not inaptly quartered as a symbol on the shield of the State, will lie at every door.

Wheat is the principal crop grown, the yield being enormous and the grain plump and heavy, often weighing from 65 to 69 pounds to the measured bushel. Good soil produces from 25 to 45 bushels per acre, and no failure of the wheat crop has been known since the settlement of the country. Chinch-bugs, grasshoppers, rust, and mildews have never yet ravaged the fields of the Oregon farmer, or clouded the prospects of a bounteous harvest.

In the year 1870-'71, there were shipped from Portland and Astoria, Oreg., to Europe, 189,592 centals of wheat, of the value of \$379,688. In the year 1875-'76, there were shipped from these ports to the same destination sixty-four cargoes, embracing 1,739,231 centals of wheat and 89,529 barrels of flour; value, \$3,606,129. From August, 1876, to January, 1877, there were exported to Europe 59 cargoes, being 1,275,303 centals of wheat and 103,437 barrels of flour; value, \$2,817,720. Large amounts were shipped to other ports, as follows:

To China, in 1875-'76, 11,573 barrels of flour; value, \$45,351. To British Columbia, in 1875-'76, 16,841 barrels of flour; value, \$83,845. To Sandwich Islands, 1,083 barrels of flour; value, \$5,876. To San Francisco, from July 1, 1875, to June 30, 1876, 59,870 barrels of flour and 239,075 centals of wheat. To Puget Sound and Alaska, in 1875-'76, 62,152 barrels of flour and 13,112 centals of wheat.

The figures representing the wheat and flour shipped directly to Europe for the period from August, 1876, to January, 1877, do not, it must be remembered, include the entire products of that year; as large quantities were shipped to China, the islands, San Francisco, and northern ports; besides considerable quantities were hoisted in view of an expected rise in prices. These flattering results were attained with little exertion and a very limited assistance of the scientific method of farming. In concluding this branch of the subject, it may be well to state that the magnificent specimens of Oregon wheat at the Centennial Exposition attracted universal attention, and secured to the State the award of several important medals and diplomas.

Oats rank next in importance to wheat. They yield prolifically, and of the finest quality. The standard weight is 36 pounds per bushel, and from fifty to eighty bushels are produced to the acre. Besides supplying the home demand, large quantities are shipped abroad. Barley and rye produce abundantly, as indeed do all the cereals.

The grasses, both wild and cultivated, grow abundantly. Timothy grass is the staple for hay; and on suitable ground an average of three tons is cut to the acre.

Flax is destined to become one of the most important products of Western Oregon; the soil and climate of this section of the State being eminently suitable to the growth of the valuable plant. It was formerly cultivated entirely for the seed, some of which was manufactured into oil and cake, and the remainder exported. The peculiar excellence of the fiber having attracted the attention of enterprising persons, shipments of

the same were made to New York and the United Kingdom, as an experiment, with the happiest result. The lint is of superior strength, fineness, length, color, and gloss. Large orders have already been received from the East and from Europe; and the culture of the higher qualities of fibrous flax will hereafter be pursued in Oregon with every prospect of a generous reward.

Hops do finely here, and are being extensively cultivated. Superior tonic properties are attributed to the local article. The yield is from 1,300 to 2,900 pounds to the acre.

Vegetables, the finest in the world, are produced abundantly in the rich, loamy soil of Western Oregon. Potatoes, onions, and cabbage, and, in fact, all the staple products of the garden, thrive equally well; and for size, texture, and flavor are not anywhere excelled. From one hundred and fifty to three hundred bushels of potatoes are gathered from one acre of land, and some beaver dam farms along the Columbia and Lower Willamette Rivers have produced 1,200 bushels of onions to the acre. Neither potato bugs nor potato disease have ever appeared.

Fruits, great and small, are grown in magnificent profusion in the valleys and along the foot hills of the mountains. For apples, pears, plums, prunes, and cherries, this State will contest the palm with any State in the Union. Oregon fruits are everywhere at a premium, on account of size, delicacy of pulp, and richness of flavor. The trees are healthy, grow vigorously, and bear early and most profusely. Plums and prunes are being cultivated for drying purposes, under the Plummer and Aldon processes, and the business has proven to be highly remunerative. A farm near Portland sold from one orchard of  $3\frac{1}{2}$  acres \$2,200 worth of plums and prunes to one of the local fruit drying establishments; and this case is but a sample of many. The smaller fruits, strawberries, raspberries, currants, and gooseberries, of a delicious quality, are abundantly produced. Wild fruits are also plentiful. Oregon dried fruits are extensively shipped to San Francisco, New York, China, Japan, South America, Australia, and other ports.

#### HERDS AND FLOCKS.

The mild, moist climate and almost continually green pasturage of Oregon favor the business of stock raising in a high degree. Vast herds of cattle and sheep graze upon bunch grass plains of the great region east of the Cascade Mountains, the winters ordinarily being so warm that it is unnecessary to feed. It is a very profitable business now, and when proper railroad connections with the great cattle markets East shall be secured, cattle raising will be a source of great wealth to the State. No State in the Union excels Oregon for natural adaptation to sheep raising. The wool from here has a high reputation in Eastern markets, and is noted for the length, fineness, and silky softness of its fiber. The breed of sheep are being rapidly improved by importation of the best blood. The wool clip of Oregon in 1876 was 3,150,000 pounds.

Dairies, as might be expected from the pastoral advantages of the country, are successfully carried on. Oregon butter and cheese have gained an enviable reputation wherever they have become known, and as yet but little attention has been given to their manufacture. The everliving pasturage of the river vales and mountain ranges give an assurance of success to dairymen. There is a constant home demand, and the surplus products of the dairy are exported to various Pacific ports.

#### COMMERCE AND INDUSTRY.

The commercial independence of Oregon is an achievement of the recent past.

For long years this State served a bitter and harassing vassalage to California, drawing its supplies from San Francisco, and shipped thither all its products, which were exported either to the Eastern States or foreign countries under the label of the Golden State. This is all changed now, and Oregon is becoming favorably known in the commercial ports of the world.

We ship wheat, flour, dried fruits, salmon, and beef directly to England; flour and salmon to China and Sandwich Islands; lumber to South America and Australia, and get in return mercantile wares from those countries. In 1871-'72 only twelve vessels were loaded for England; in 1875-'76, sixty-five vessels.

The number of foreign charters is, therefore, rapidly augmenting. But our commercial relations with the world will not be fully established until the waters of the Columbia and Willamette Rivers become connected by transcontinental railroads with the great ports of the Atlantic side.

With reference to the subject of railroad connection, I will say it is generally supposed that the languid pulse of rivalry is quickening for conclusive action, and that some action will be taken at the meeting of next Congress which will insure the speedy attainment of a result so long desired.

Passing from the purely commercial to the industrial interests of Oregon, a rapid and most encouraging progress is to be noted. The salmon fisheries on the Columbia River, though of recent establishment, employ a large capital and return heavy profits.



The taking and canning of these excellent fish constitute, in fact, the most thriving industry of the State. Some thirty canneries are now in full operation, with a working force of from four to five thousand men.

In 1876, 428,730 cans of salmon were put up by the seventeen canneries then existing, and for the present season, 1877, 600,000 cans may be stated as a fair estimate of the products.

Two years ago the canneries tried the experiment of canning beef for shipment to England, with most satisfactory results. In 1876 the canneries shipped 33,250 cans of beef, and this branch of the business will undoubtedly increase largely in the near future.

The woolen factories of the State are thoroughly conducted, and are in a high degree prosperous. There are four now in operation at select points, and their manufacture of cassimeres, flannels, and blankets have a high reputation both at home and abroad, and meet with a ready sale. Oregon blankets command the best prices in New York. These establishments consume about 1,250,000 pounds of raw material annually. The goods manufactured represent a gold value of \$1,000,000.

Flour keeps pace with wheat culture. There are quite a number of first class mills in the State, run by water and steam, with the capacity of 500 barrels of 196 pounds each per day. The surplus product is shipped to England, China, and other ports, where, on account of superior quality, it commands the highest price.

Lumbering is one of the most extensive and important branches of local industry. We have almost inexhaustible forests of the finest timber known. The Oregon exhibit of staple and fancy lumber at Philadelphia in 1876 excited the wonder and admiration of all present. The best ship timber in use is obtained from our woods at Coos and Yaquina Bays, Port Orford, and at many places on the Columbia and Willamette Rivers. Extensive mills are established, many of which turn out from seventy-five to one hundred thousand feet of lumber each day. The lumber, over and above home consumption, is shipped to San Francisco, China, South America, and the Sandwich Islands. The annual export is estimated at 100,000,000 feet.

#### MINES AND MINING.

The mineral wealth of the State has not been fully developed, for want of sufficient capital, but mining is undoubtedly one of the leading interests of the country. It is certain that immense bodies of gold, silver, copper, iron, and cinnabar ore exist in various parts of the State, and many valuable mines in Southern and Eastern Oregon are being successfully worked. The annual gold product of the State is about \$1,500,000. Very extensive coal beds have been discovered, and some of them are being vigorously developed.

#### PUBLIC SURVEYS IN OREGON.

I have to say that the delay of Congress in passing the appropriation for surveys last year materially affected the prosecution of field work in this district, as the usual letter of instructions from your office reached us so late in the summer that the deputies, for the most part of the work, were unable to take the field. The surveys were, however, contracted for to the fullest extent of the appropriation, and are now being executed. Some work was and is now being done near Harney Lake and along Camp Creek, Eastern Oregon, and a limited amount in Nehalem Valley, in the western part of the State. The subdivisional surveys authorized by the government on Siletz Indian reservation were completed and the returns submitted and approved.

There is every promise of a fine open season the current year, and the surveys will be forwarded with as much dispatch as possible. The work proposed for the current year is under contract, and has been distributed throughout the State with a conscientious regard for the most urgent needs of the service.

The estimates for surveys in Oregon for 1879 are based upon a candid opinion of the absolute requirements of the country, and it is to be hoped will meet with your approval and the favorable consideration of Congress.

#### SWAMP LANDS.

Swamp land selections, comprehending a vast area of country, have been reported to this office by the authorities of the State, and will be considered and passed upon as rapidly as the nature of the case will admit.

#### PUBLIC AND PRIVATE SCHOOLS.

There is, I presume, no State in the Union better provided with public and private schools than the State of Oregon, as is shown by the following, compiled from the biennial report of the superintendent of public instruction for the year 1875-'76: Number of public schools in the State, 745; of this number, 26 colleges and academies. Num-

ber of private schools, 132; making a total of 877 schools. Number of pupils enrolled in public schools, 24,854; number of pupils in attendance in public schools, 18,005; number of pupils in attendance in private schools, 3,355; total, 21,360.

To conclude this brief summary of resources, &c., of the State, permit me to say that Oregon is one of the most healthful portions of the United States. The death rate of the State is less than that of any State or Territory except Idaho.

Taxation is quite reasonable and the public indebtedness not large, being in fact limited by constitutional enactment.

Very respectfully,

BEN. SIMPSON,  
*Surveyor General of Oregon.*

Hon. J. A. WILLIAMSON,  
*Commissioner General Land Office, Washington, D. C.*

A.—Statement showing condition of contracts not closed at date of last annual report.

Number.	Date.	Name of deputy.	Location and description of lines.	Number of miles surveyed.				Acres.	Original. General Land Office.	Register.	Total.	Amount paid on account of contracts.	Remarks.
				Exteriors.	Standard parallel.	Sections, meanders.	Total.						
195	1873. July 2	J. M. Dick .....	Third standard parallel south, exterior and subdivisinal lines of township 14 south, range 9 west.	M. C. L. { 3 75 20	M. C. L. 6 00 00	M. C. L. 18 46 40	M. C. L. 22 41 60	.....	1	1	2	\$2,094 69	Complete.
			Exterior and subdivisinal lines of township 13 south, range 10 west.	1 23 00	.....	25 50 14	26 73 14	4,130.41	2	2	1 5		Do.
			Exterior and subdivisinal lines of township 13 south, range 11 west.	14 33 75	.....	50 33 45	64 67 20	3,182.94	1	1	1 3		Do.
			Exterior and subdivisinal lines of township 12 south, range 12 west.	3 03 42	.....	3 35 20	6 38 62	13,087.79	1	1	1 3		Do.
			Subdivisinal lines of township 13 south, range 12 west.	.....	.....	4 33 10	4 33 10	356.28	1	1	1 3		Do.
219	1874. Sept. 11	F. W. Colbrook ...	Subdivisinal lines of township 12 south, range 11 west.	.....	.....	11 51 97	11 51 97	450.84	1	1	1 3	1,187 24	Do.
			Subdivisinal lines of township 14 south, range 10 west.	.....	.....	1 67 70	1 67 70	2,949.86	1	1	1 3		Do.
			Exterior and subdivisinal lines of township 34 south, range 14 west.	2 00 00	.....	18 38 63	20 38 63	120.38	1	1	1 3		Do.
			Exterior and subdivisinal lines of township 34 south, range 15 west.	1 05 40	.....	64 27	1 69 67	5,379.03	2	2	1 5		Do.
			Subdivisinal lines of township 36 south, range 14 west.	.....	.....	48 35 75	48 35 75	96.09	1	1	1 3		Do.
240	1875. July 21	John A. Hurlburt	Subdivisinal lines of township 33 south, range 15 west.	.....	.....	13 45 15	13 45 15	14,675.17	1	1	1 3	5,553 96	Do.
			Subsection lines of township 9 south, range 9 west	.....	.....	67 05 67	67 05 67	3,467.11	1	1	1 3		Do.
			Subsection lines of township 9 south, range 10 west	.....	.....	127 73 89	127 73 89	3,040.00*	1	1	1 3		Do.
			Subsection lines of township 10 south, range 9 west	.....	.....	70 23 67	70 23 67	6,455.04*	1	1	1 3		Do.
			Subsection lines of township 10 south, range 10 west	.....	.....	123 29 47	123 29 47	3,463.63*	1	1	1 3		Do.
249	1876. May 17	William P. Wright	Subdivisinal lines of township 10 south, range 9 west.	.....	.....	6 04 16	6 04 16	5,924.50*	1	1	1 3	167 10	Do.
			Subdivisinal lines of township 10 south, range 10 west	.....	.....	2 79 70	2 79 70	2,295.74	1	1	1 3		Do.
			Subdivisinal lines of township 29 south, range 14 west.	.....	.....	11 74 90	11 74 70	640.00	1	1	1 3		Do.
			Subdivisinal lines of township 29 south, range 11 west.	1 00 00	.....	2 56 90	2 56 90	3,801.32	2	2	1 5		Do.
			.....do .....	.....	.....	.....	.....	960.00	2	2	1 5		Do.
250	June 8	.....do .....	Total miles surveyed.....	26 60 77	6 00 00	609 50 12	642 30 89	74,476.13	.....	.....	.....	9,056 94	.....
			Total acres surveyed.....	.....	.....	.....	.....	.....	.....	.....	.....		.....
			Total plats made.....	.....	.....	.....	.....	.....	23	23	19 65		.....
			Total cost of survey .....	.....	.....	.....	.....	.....	.....	.....	.....		.....

\* Indicates amount subdivided into twenty acre lots in the Silez Indian reservation.

UNITED STATES SURVEYOR GENERAL'S OFFICE,  
Portland, Oreg., June 30, 1877.BEN. SIMPSON,  
Surveyor General of Oregon.

*B.—Statement of surveying contracts made under appropriation for fiscal year ending June 30, 1877.*

Contract.		Name of deputy.	Location and description of lines.	Amount surveyed.					Remarks.
No.	Date.			Standard.	Exteriors.	Subdivisions.	Estimated amount of contract.	Amount returned.	
251	Sept. 6, 1876	Alonzo Gesner...	The fourth standard parallel south, west through ranges 20, 19, and 18 east to intersection of Deschute's guide meridian; the exterior boundaries of townships 18, 19, and 20 south, ranges 18, 19, and 20 east; townships 16, 17, 18, 19, and 20 south, range 17 east; the subdivisional lines of townships 18, 19, and 20 south, ranges 19 and 20 east; townships 18 and 19 south, range 18 east; and townships 16, 17, and 18 south, range 17 east, Willamette meridian, Oregon.	<i>Ms. chs. lks.</i> 18 35 42	<i>Ms. chs. lks.</i> 109 46 56	<i>Ms. chs. lks.</i> 731 30 15	\$5,022 00	\$5,338 00	
252	Sept. 6, 1876	John W. Meldrum.	The sixth standard parallel south, from the corner of townships 30 and 31 south, ranges 40 and 41 east, in the Grande Ronde guide meridian, west through ranges 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, and 30 east; the exterior boundaries of townships 28, 29, and 30 south, ranges 30, 31, 32, and 33 east; fractional township 27 south, ranges 30, 31, 32, and 33 east; the subdivisional lines of township 28 south, ranges 30, 31, 32, and 33 east; townships 29 and 30 south, ranges 31 and 32 east, and the subdivisional and meander lines of fractional township 27 south, range 31 east, Willamette meridian.	66 00 00	177 36 91	299 72 83	4,996 00	3,701 00	
253	Sept. 6, 1876	Meldrum & Moore	The exterior boundaries of township 25 south, ranges 38 and 39 east; townships 26, 27, 28, 29, and 30 south, ranges 34, 35, and 36 east; and the subdivisional lines of township 26 south, ranges 34, 35, and 36 east; townships 27 and 28 south, ranges 34 and 35 east; township 25 south, ranges 38 and 39 east, and the subdivisional and meander lines of fractional townships 26 and 27 south, range 33 east, Willamette meridian.	.....	.....	.....	4,998 00	.....	
254	Sept. 7, 1876	John Campbell ...	The exterior boundaries and subdivisional lines of township 4 north, range 5 west, and exterior boundaries of township 3 north, range 5 west.	.....	18 04 14	60 17 13	522 00	487 64	Surveys completed; account audited and paid; contract closed.
255	Sept. 12, 1876	H. C. Perkins ....	The fifth standard parallel south, from the corner to township 25 south, ranges 22, 21, 20, and 19 east; the exterior boundaries and subdivisional lines of townships 26 and 27 south, ranges 21 and 22 east, and township 27 south, range 23 east.	.....	.....	.....	2,544 00	.....	

## B.—Statement of surveying contracts made under appropriation for fiscal year ending June 30, 1877—Continued.

Contract.		Name of deputy.	Location and description of lines.	Amount surveyed.					Remarks.
No.	Date.			Standard.	Exteriors.	Subdivisions.	Estimated amount of contract.	Amount returned.	
256	Sept. 13, 1876	William H. Byars	The fifth standard parallel south, from the corner to sections 33 and 34; township 22 south, range 8 west, through ranges 8 and 9 west to corner, to sections 33 and 34; township 22 south, range 9 west, and fractional exterior and subdivisional lines of township 23 south, range 9 west, Willamette meridian.	<i>Ms. chs. lks.</i>	<i>Ms. chs. lks.</i>	<i>Ms. chs. lks.</i>	462 00	.....	Notes returned and are being platted.
257	Sept. 23, 1876	James A. Warner.	The subdivisional and meander lines of township 10 south, ranges 10 and 11 west, (fractional.)	.....	.....	.....	300 00	.....	
258	Oct. 2, 1876	Will S. Webber...	The fractional subdivisional lines of township 12 south, range 11 west, Willamette meridian.	.....	.....	.....	140 00	.....	
259	Dec. 15, 1876	John W. Meldrum.	The subdivisional lines of township 29 and 30 south, range 30 east; township 30 south, ranges 33, 34, and 35 east; fractional township 27 south, range 32 east, Willamette meridian.	.....	.....	.....	2, 100 00	.....	
Total .....				84 35 42	305 07 81	1, 091 40 11	21, 084 00	9, 527 33	
Total as per statement A .....				6 00 00	26 60 77	609 50 12	.....	9, 056 94	
Totals .....				90 35 42	331 68 58	1, 701 10 23	.....	.....	
Grand total of miles surveyed .....				.....	.....	2, 123 34 23	.....	.....	
Total cost of survey .....				.....	.....	.....	.....	18, 584 27	

UNITED STATES SURVEYOR GENERAL'S OFFICE,  
Portland, Oreg., June 30, 1877.

BEN. SIMPSON,  
Surveyor General of Oregon.

*C.—Statement of original plats of surveys and copies transmitted since June 30, 1876.*

Lines.	Township.	Range.	Plats made.			Total.	Acres.	Number of contract.	Names of deputies.
			Original.	Copies sent to Commissioner.	Copies sent to register.				
Exteriors .....	18, 19, and 20 south .....	17 and 18 east.....	1	1		2		251	Alonzo Gesner.
Do.....	do.....	19 and 20 east.....	1	1		2		251	Do.
Subdivisions.....	do.....	17 and 18 east.....	6	6	6	18	143,342.44	251	Do.
Standard parallel .....	Between 19 and 20 south .....	Through 18 east.....	1	1		2		251	Do.
Do.....	do.....	Through 19, and 20 east.....	1	1		2		251	Do.
Subdivisions .....	18, 19, and 20 south .....	19 and 20 east.....	6	6	6	18	137,793.61	251	Do.
Sixth standard parallel south .....	Between 30 and 31 south .....	Through 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40 east.....	1	1		2		252	John W. Meldrum.
Exteriors .....	29 and 30 south.....	30, 31, 32, and 33 east .....							Do.
Do.....	28 south.....	31, 32, and 33 east .....							Do.
Do.....	26 and 27 south.....	33 east .....	1	1		2		252	Do.
Subdivisions .....	29 and 30 south.....	32 east .....	2	2	2	6	45,965.36	252	Do.
Do.....	do.....	31 east .....	2	2	2	6	46,104.49	252	Do.
Do.....	28 south.....	do.....	1	1	1	3	23,027.93	252	Do.
Exteriors .....	3 and 4 north.....	5 west.....	1	1		2		254	John Campbell.
Subdivisions.....	4 north.....	do.....	1	1	1	3	23,176.56	254	Do.
Total .....							419,410.39		
Total as per Statement A .....							74,476.13		
Grand total .....							493,886.52		

OFFICE UNITED STATES SURVEYOR GENERAL,  
Portland, Oreg., June 30, 1877.

BEN. SIMPSON,  
United States Surveyor General, Oregon.

## D.—Statement of original plats of surveys of mining claims and copies transmitted since June 30, 1876.

Designation of claim.	Location.	Plats made.				
		Original.	For Commissioner.	For register.	For claimant.	Total.
Samuel C. Hillis and William H. Clark's placer mining claim, (lot A.)	Grant County.....	1	1	1	1	4
Samuel C. Hillis and William H. Clark's placer mining claim, (lot B.)	....do .....	1	1	1	1	4
Richard Downie, placer mining claim.....	Baker County .....	1	1	1	1	4
J. D. Young & Co.'s placer mining claim .....	....do .....	1	1	1	1	4
Bache, Curtis & Co.'s placer mining claim .....	....do .....	1	1	1	1	4
M. A. Barber and Jeremiah McCarthy's placer mining claim. ..	....do .....	1	1	1	1	4
Hugh Cannon & Co.'s John Day mining claim.....	Grant County.....	1	1	1	1	4
Ankeny's hydraulic gold placer mining claim.....	Josephine County	1	1	1	1	4
Countney's hydraulic gold placer mining claim .....	....do .....	1	1	1	1	4
Scotch Gulch placer mining claim .....	....do .....	1	1	1	1	4
Addition to Scotch Gulch placer mining claim.....	....do .....	1	1	1	1	4
Total .....	.....	.....	.....	.....	.....	44

BEN. SIMPSON,  
Surveyor General of Oregon.

UNITED STATES SURVEYOR GENERAL'S OFFICE,  
Portland, Oreg., June 30, 1877.



**E.—Statement of appropriation for surveyor general of Oregon and the clerks in his office for the fiscal year ending June 30, 1877.**

DR.			CR.		
Date.	How expended.	Amount.	Date.	Appropriation.	Amount.
Sept. 30, 1876	To amount paid surveyor general and the clerks in his office, as per accounts rendered in the third quarter 1876.	\$2,425 00	July 1, 1876	By amount of appropriations for the fiscal year ending June 30, 1877.	\$7,761 14
Dec. 31, 1876	To amount paid surveyor general and the clerks in his office, as per accounts rendered in the fourth quarter 1876.	2,025 00			
Mar. 31, 1877	To amount paid surveyor general and the clerks in his office, as per accounts rendered in the first quarter 1877.	1,425 00			
June 30, 1877	To amount paid surveyor general and the clerks in his office, as per accounts rendered in the second quarter 1877.	1,886 10			
	Balance .....	04			
	Total .....	7,761 14			7,761 14

BEN. SIMPSON,

*United States Surveyor General, Oregon.*

OFFICE UNITED STATES SURVEYOR GENERAL,  
*Portland, Oreg., June 30, 1877.*

F.—Statement of special deposits made to the credit of the United States for the survey of the public lands in the State of Oregon during the fiscal year ending June 30, 1877.

Dr.					Cr.			
Date.	Names of depositors.	For survey of—	For office work.	For field work.	Date.	Amounts drawn.	For office work.	For field work.
1876.					1876.			
	Balance unexpended per last report .....		\$39 67	\$782 68	Sept. 30	By amount paid mining clerks and draughtsmen, as per accounts rendered for third quarter 1876.	\$102 00	-----
July 24	C. M. Foster .....	Peter De Busche placer mine .....	12 00	-----				
Aug. 8	H. K. Hanna .....	Scotch Gulch placer mine .....	20 00	-----	Nov. 29	By William P. Wright's surveying account for work done under contract No. 249.	-----	\$167 00
Aug. 29	C. M. Foster .....	James De Young placer mine .....	15 00	-----				
Aug. 29	do .....	Hillis, Elliott & Cameron' placer mine.	15 00	-----	Nov. 29	By William P. Wright's surveying account for work done under contract No. 250.	-----	53 95
Sept. 14	A. P. Ankeny .....	Ankeny placer mine .....	20 00	-----	Dec. 15	By C. W. Burrage's surveying account for survey of fractional township 1 north, range 1 east.	-----	20 00
Sept. 14	W. F. Courtenay .....	Courtenay placer mine .....	20 00	-----				
Sept. 13	C. M. Foster .....	M. A. Barber placer mine .....	15 00	-----	Dec. 31	By amounts paid special clerks and draughtsmen, as per account rendered during fourth quarter 1876.	90 00	-----
Sept. 27	James S. Howard .....	Gold Hill placer mine .....	20 00	-----				
Oct. 6	W. S. Johnson .....	Sand Island .....	5 00	25 00	1877.			
Oct. 6	B. F. Johnson .....	do .....	5 00	25 00	Jan. 16	By C. W. Burrage's surveying account for survey of Sand Island.	-----	50 00
Oct. 16	Samuel Logan .....	Fractional township 12 south, range 11 west.	6 25	42 60				
Oct. 16	A. W. Wright .....	do .....	6 25	27 40	Mar. 31	By amount paid special clerks and draughtsmen in first quarter 1877.	10 00	-----
Oct. 16	John Hunsaker .....	do .....	6 25	35 00		Unexpended balance .....	106 67	1,207 73
Oct. 16	William Stitt .....	do .....	6 25	35 00				
Nov. 8	R. A. Emmett .....	Fractional township 40 south, range 8 east.	12 00	12 00				
Dec. 27	William Johnson .....	Fractional township 30 south, range 13 west.	12 50	150 00				
Dec. 27	Russell Demont .....	do .....	12 50	150 00				
1877.								
Jan. 6	Coquille Black Sand Mining Co.	Coquille Black Sand mine .....	20 00	-----				
May 10	Josephine Haines .....	Fractional township 31 south, range 12 west.	25 00	160 00				
Apr. 23	Frank P. Mays .....	Fractional township 9 south, range 19 east.	5 00	24 00				
May 30	William Patterson .....	Fractional township 26 south, range 3 west.	10 00	30 00				
	Total .....		308 67	1,498 68		Total .....	308 67	1,498 68

BEN. SIMPSON,  
United States Surveyor General.

OFFICE UNITED STATES SURVEYOR GENERAL,  
Portland, Oreg., June 30, 1877.

G.—Statement of appropriation for incidental expense of office of surveyor general of Oregon for fiscal year ending June 30, 1877.

DR.			CR.		
Date.		Amount.	Date.		Amount.
1876. Sept. 30	To amount of disbursements in the quarter ending September 30, 1876, as per accounts rendered .....	\$288 38	1876. July 1	By amount of appropriation for incidental expenses, &c., for the fiscal year ending June 30, 1877.....	\$1,500 00
Dec. 31	To amount of disbursements in the quarter ending December 31, 1876, as per accounts rendered .....	203 20			
1877. Mar. 31	To amount of disbursements in the quarter ending March 31, 1877, as per accounts rendered .....	256 83			
June 30	To amount of disbursements in the quarter ending June 30, 1877, as per accounts rendered .....	551 29			
	Unexpended balance .....	200 30			
	Total .....	1,500 00		Total .....	1,500 00

BEN. SIMPSON,  
United States Surveyor General, Oregon.

OFFICE UNITED STATES SURVEYOR GENERAL,  
Portland, Oreg., June 30, 1877.

Estimate of funds required for the surveying service in the district of Oregon for the fiscal year ending June 30, 1879.

#### FOR FIELD WORK.

For running, measuring, and marking the following lines within the agricultural and timbered districts of Western Oregon:

For surveying 160 miles standard lines, at \$16 .....	\$960 00
For surveying 1,600 miles subdivisional lines, at \$10 .....	16,000 00
For surveying 300 miles exterior lines, at \$14 .....	4,200 00

#### For surveys in Eastern Oregon:

For surveying 24 miles of standard lines, at \$16 .....	384 00
For surveying 120 miles exterior lines, at \$14 .....	1,680 00
For surveying 600 miles subdivisional lines, at \$10 .....	6,000 00
For surveying 100 miles of standard lines, at \$10 .....	1,000 00
For surveying 840 miles of exterior lines, at \$7 .....	5,880 00
For surveying 4,200 miles subdivisional lines, at \$6 .....	25,200 00

Total amount for field work .....

61,304 00

#### FOR OFFICE WORK.

For salary of surveyor general .....	2,500 00
For salary of chief clerk .....	1,800 00
For pay of two draughtsmen .....	2,900 00
For pay of four transcribing clerks .....	4,800 00

Total amount for office work .....

12,000 00

#### FOR INCIDENTAL EXPENSE.

For pay of messenger, purchase of stationery, and incidental expense of office of surveyor general in Oregon .....	1,500 00
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BEN. SIMPSON,  
United States Surveyor General, Oregon.

*P.—Report of the surveyor general of California.*

UNITED STATES SURVEYOR GENERAL'S OFFICE,  
San Francisco, September 13, 1877.

SIR: I have the honor to submit, in duplicate, the annual report of this office in relation to the surveying service in California during the fiscal year ending June 30, 1877.

I also forward tabular statements, in duplicate, as follows:

A.—Statement of contracts entered into by the United States surveyor general for 1876-77, and payable from the appropriation for the fiscal year.

B.—Statement of contracts entered into by the United States surveyor general for California with deputy surveyors, for surveys of public lands during the fiscal year 1876-77, and payable from the private deposits made in conformity with the act of May 20, 1862, and March 3, 1871.

BB.—Statement of contracts entered into by the United States surveyor general for California with deputy surveyors, for surveys of private land claims during the fiscal year 1876-77, and payable from the appropriation of \$5,000 for surveys of private land claims during the fiscal year.

C.—Statement of surveys of mines in California during the fiscal year 1876-77, made in conformity with the act of Congress approved May 10, 1872.

D.—Statement showing number of miles surveyed in California to June 30, 1877.

E.—List of lands surveyed in California from July 1, 1876, to June 30, 1877.

F.—Statement of plats made in the office of the United States surveyor general for California during the fiscal year 1876-77.

G.—Statement of transcripts of field notes of public surveys sent to the department at Washington from the office of the United States surveyor general for California, during the fiscal year 1876-77.

H.—Statement of descriptive notes, decrees of court, &c., of private land claims, to accompany plats for patents compiled for transmission to the department at Washington during the fiscal year 1876-77.

I.—Statement of special deposits for the survey of public lands in California during the fiscal year 1876-77.

J.—Statement of special deposits for the survey of mining claims in California during the fiscal year 1876-77.

K.—Statement of accounts of deputy surveyors paid from the appropriation for the surveys of public lands in California during the fiscal year 1876-77.

L.—Statement of account of appropriation for office rent, stationery, pay of messenger, and incidental expenses of the office of the United States surveyor general for California during the fiscal year 1876-77.

M.—Account of appropriation for the salary of the United States surveyor general during the fiscal year 1876-77.

N.—Statement of account of appropriation for compensation of clerks and draughtsmen in the office of the United States surveyor general for California during the fiscal year 1876-77.

O.—Statement of special individual deposits with the United States assistant treasurer at San Francisco, during the fiscal year 1876-77, for compensation of clerks and draughtsmen in the office of the United States surveyor general for California.

P.—Statement of special deposit account for the fiscal year 1876-77.

PP.—Statement of account paid from appropriation for survey of private land claims for the fiscal year ending June 30, 1877.

#### SURVEY OF PUBLIC LANDS.

The scant appropriation made by Congress for the survey of public lands during the last year being entirely inadequate for the survey of all such lands as were required for immediate settlement; and, at the then reduced rates of compensation by the government for field work, it being impossible to find competent deputies who were willing to accept contracts under the government, it became necessary for settlers, desiring surveys to be made, to advance the funds necessary to pay for the work.

This has been something of a hardship upon settlers who required surveys to be made, since of the moneys advanced for the work nothing could be refunded above the amount allowed by the government for the field work, whatever excess paid therefor being lost to the depositor.

This has caused much complaint and dissatisfaction, which, however, has in part been remedied by the restoration of the original rates of compensation for field work.

In this connection, I think it my duty to call the attention of the department to the embarrassments and substantial evils resulting from the inadequacy of the annual appropriations by Congress for the land surveys in California. Although most of the

plain, and all of the arid waste lands in Southern California, have long since been surveyed by the government, there are in the northern portion of the State, *unsurveyed*, many fertile valleys, well watered, and very desirable as homes for settlers.

It would greatly promote the well-being of the State if such places were as speedily as possible surveyed by the government, and such lands as are covered by valuable forests of timber should, by all means, be surveyed with as little delay as possible, as the only means of preventing the speedy destruction of the timber, since experience teaches that without private ownership it is impossible to preserve the forest lands from utter ruin.

Under this head, I would suggest to the department that the present appropriation for clerical and draughting service in the office is far from being sufficient for the compensation of such a force as is *absolutely necessary* for the proper execution of the public work demanded.

#### SURVEYS OF SPANISH GRANTS.

The subject of Spanish grants has been prolific of many troubles in California ever since the organization of the board of land commissioners, in 1851, for the settlement thereof; and the expensive delays incident to the confirmation or rejection of these claims before the courts of the United States, and to the settlement of boundaries by the courts, and by the Department of the Interior, have been very serious drawbacks to the permanent settlement and substantial improvement of the country, and to the development of the agricultural resources thereof.

This has resulted from the want of experience rather than from any other cause.

The members of the board of land commissioners, although doubtless eminently learned in their profession, were unfamiliar with the habits of the people of the country and their manner of doing business, and, probably, not conversant with the language in which the original title papers of these grants were written; they had, therefore, to trust to such translators as they could obtain, who were, unfortunately, often unskilled in the use of either the Spanish or the English language.

From such data as generally crude, and often incorrect, translations of the original title papers, and the oral testimony of illiterate witnesses, given through the media of unskilled interpreters, the commission attempted to fix *certainly* the locations and boundaries of the claims before them for adjudication, without being aware of the fact that in a majority of the cases before them it was absolutely impossible to ascertain the boundaries of these claims, or the proper locations thereof, without an examination upon the ground by some one familiar with the language of the original title papers and the habits of the people of the country.

The result of this has been that many of these grants have been, by decree, improperly located, *including* land not embraced within the calls of the title papers, and *excluding* lands embraced therein. It will be many years before the evil effects resulting from these causes shall cease to be felt in this country; but although it is too late to remedy the misfortunes which, by this system of settling Spanish land titles, have been entailed upon California, the experience thus acquired may serve as a wholesome lesson for the future to those who may have the control of such matters in those portions of the territory of the United States in which are located ancient grants of land, made by the governments of Spain and Mexico, and which have yet to be adjudicated and located.

The titles of nearly all of the Spanish grants in this country have been finally either confirmed or rejected by the courts, but many cases are pending still on the question of survey, and many suits are pending before the courts of the country, and many more, resulting from the causes above referred to, will doubtless be commenced.

#### MINERAL LANDS AND MINING.

Applications for mineral surveys have increased during the last year, caused, no doubt, to some extent by mining reverses in Nevada, which have induced capital to seek investments in California.

The result of this has been that not only many new mines have been located, but in many mines heretofore abandoned work has been resumed, all of which has given a new impetus to the mining interests of California.

In this connection I will refer to the "petroleum" interests of this country, which bid fair in the future to play an important part in the industrial enterprises of California.

Some fifteen years ago there was considerable excitement in the country in relation to the discovery of petroleum springs in different parts of the State, but principally in that portion of the county of Santa Barbara now embraced in the county of Ventura. A number of persons were engaged and some capital expended in prospecting for oil. After a little time, however, as nothing satisfactory resulted therefrom, these enterprises were abandoned. Recently this business has been renewed, and persons with experience acquired in the oil regions of the East have been employed in developing these latent sources of wealth, and with the most satisfactory result.

In the Ventura district there are some eleven producing wells, and not one bore has been made that does not give evidence of petroleum.

On the edge of Tulare Valley there is also a district of country which gives abundant evidence, of being rich in petroleum, and for the development of which capital is now being invested.

I have no doubt but that these enterprises will prove to be largely remunerative to the parties engaged therein, and will add much to the wealth of the State.

#### DESERT LANDS AND IRRIGATION.

In the northern portion of the State the annual rainfall is sufficient generally, if not always, to insure a good crop, hence the eagerness with which the settler seeks a home in that region, since he can there locate with his family on a small tract of land without the constant fear of perishing from drought, while on the plains in the valleys of Southern California, no matter how fertile the soil may be, no prudent man will venture to make a permanent settlement upon land which cannot be irrigated.

This region is subject to seasons of drought, during which the whole country becomes an absolute desert, except such spots as can be artificially watered. The ancient records of the country show that in Southern California seasons of extreme drought have been of frequent occurrence ever since the settlement of the country by the Spaniards; that often the stock have perished with hunger and thirst, and that sometimes, by order of the government, a large portion have been destroyed so that a remnant might be saved. Indeed, almost the whole of Southern California, except such portions as can be irrigated, may properly be considered as desert lands, since the plains and valleys of that region, although in fertility of soil they are not surpassed by the delta of the Nile, yielding in favorable seasons abundant harvests, are, in dry years like the present, deserts, as arid as that of Sahara.

The question, then, of the irrigation of these comparatively desert lands is one of vital importance to this interests of this country, and one which is now attracting much attention among men of intelligent enterprise, it being by such persons considered practicable, by adopting such systems of irrigation as are in use in the older inhabited parts of the world, which, like this country, are subject to destructive droughts, to cause these arid portions of California to be ever productive regardless of the character of the seasons.

This, however, cannot be accomplished by individual enterprise, the amount of capital required being probably greater than any individual capitalist would be able or willing to invest in such enterprise, by *whom* or *however* done it matters not; one thing is manifestly certain, that unless it should *be done*, those portions of California above referred to must ever remain comparative deserts.

Therefore, whatever laws may be passed by Congress tending to encourage and promote the reclamation of these desert lands, by irrigation, will be beneficial, not only to this State but to the world at large, for the reason (to use an ancient Chinese proverb) that "whoever causes two blades of grass to grow where but one grew before, is a benefactor of and deserves the gratitude of mankind."

#### RAILROADS.

These civilizers of mankind have been in California, as everywhere else, potent agents in developing the slumbering wealth of the country. Mountains have been bored, burning deserts have been crossed, and valleys, almost inaccessible to the agricultural pioneer, and remote from the highways of commerce, have been reached by the iron horse, thriving settlements and villages have sprung up, and the cheerful voice of prosperous industry is now heard where a short while since the wild beast had his lair.

Probably nowhere on earth has the railroad builder shown so much enterprise and taken so many risks as in California.

Generally, railroads are only built through well settled countries, but in California, in many instances, they have been laid through regions almost destitute of population, the projectors trusting to the subsequent settlement of the country to make a profitable carrying business. This is especially true in relation to the Southern Pacific Road, which during the last year was completed as far as the Colorado River.

This road has been constructed in the most substantial manner, and at immense expense, through arid plains, over rugged mountains, and hundreds of miles across burning deserts, as far as the town of Yuma, on the Colorado River, through a country that can give but little carrying business until redeemed by irrigation from the dominion of desolation.

A large amount of the profits of the paying roads of California must have been expended in the construction of this road, and large sums must still be expended in defraying the expenses of running the same before it can be made profitable by reaching the rich agricultural and mineral regions of Eastern Arizona.

Very respectfully, &c., your obedient servant,

H. G. ROLLINS,

United States Surveyor General for California.

Hon. J. A. WILLIAMSON,

Commissioner General Land Office, Washington, D. C.

A.—Statement of contracts entered into by the United States surveyor general for California with deputy surveyors, for the survey of public lands during the fiscal year ending June 30, 1877, and payable out of the public appropriation (\$23,500) for that year.

Name of deputy.	Date of contract.	Location of field work.	Meridian.	Amount of contract.	Returned amount.	Remarks.
John Gilcrest.....	Sept. 11, 1876	Survey the exterior boundaries and complete the subdivision of township 2 south, range 15 east; township 2 south, range 16 east; township 2 south, range 17 east.	Mount Diablo...	\$1,500 00	\$1,425 26	Plats and field notes transmitted; account closed.
William A. Richards...	Sept. 11, 1876	Survey the exterior boundaries and complete the subdivision of township 4 south, range 17 east; township 4 south, range 18 east; township 3 south, range 15 east.	...do .....	1,300 00	526 46	Richards released at his own request from that portion of this contract relating to township 4 south, ranges 17 and 18 east, Mount Diablo meridian; plats and field notes transmitted; account closed.
W. H. Carlton.....	Sept. 11, 1876	Complete the subdivision of township 29 south, range 34 east; township 30 south, range 34 east.	...do .....	1,000 00	970 94	Plats and field notes transmitted; account closed.
I. N. Chapman .....	Sept. 11, 1876	Complete the subdivision of township 30 south, range 35 east; township 30 south, range 36 east.	...do .....	850 00	875 69	Do.
E. J. Weston.....	Sept. 11, 1876	Complete the subdivision of township 9 south, range 2 west; township 8 south, range 3 west; township 9 south, range 3 west.	...do .....	600 00	.....	This contract canceled at the request of E. J. Weston.
J. C. Fairchild.....	Sept. 11, 1876	Complete the subdivision of township 2 south, range 18 east; township 3 south, range 18 east.	...do .....	1,000 00	534 52	Plats and field notes transmitted; account closed.
G. B. Tolman .....	Sept. 11, 1876	Complete the subdivision of township 20 south, range 10 east; township 20 south, range 11 east.	...do .....	400 00	.....	Survey completed; field notes on file.
A. S. Herman.....	Sept. 11, 1876	Complete the subdivision of township 10 south, range 6 east.	...do .....	209 00	291 07	Plats and field notes transmitted; account closed.
John A. Benson.....	Sept. 11, 1876	Complete the subdivision of township 7 north, range 7 west; township 8 north, range 7 west; township 7 north, range 6 west; township 8 north, range 11 west; township 9 north, range 11 west.	...do .....	987 00	645 60	Do.
W. P. Reynolds.....	Sept. 11, 1876	Complete the subdivision of township 1 south, range 15 west.	San Bernardino.	200 00	142 18	Do.
H. H. Sandford .....	Sept. 18, 1876	Complete the subdivision of township 13 north, range 3 west.	Mount Diablo...	444 00	.....	Do.
A. A. Smith .....	Sept. 18, 1876	Complete the subdivision of township 28 north, range 12 east; township 39 north, range 14 east.	...do .....	1,000 00	.....	Survey completed; field notes on file.
W. H. Norway.....	Sept. 19, 1876	Complete the subdivision of township 4 north, range 15 west; township 4 north, range 16 west.	San Bernardino	500 00	540 86	Plats and field notes transmitted; account closed.
James M. Anderson ..	Sept. 22, 1876	Complete the subdivision of township 4 north, range 15 east; township 4 north, range 16 east; township 5 north, range 16 east.	Mount Diablo ..	1,450 00	1,164 00	Do.
G. H. Perrin .....	Oct. 27, 1876	Survey of the meander lines of the Pacific Ocean in township 5 south, range 2 east.	Humboldt .....	27 15	24 14	Do.



## A.—Statement of contracts entered into by the United States surveyor general for California, &amp;c.—Continued.

Name of deputy.	Date of contract.	Location of field work.	Meridian.	Amount of contract.	Returned amount.	Remarks.
Fréd. T. Perris .....	Nov. 3, 1876	Complete the survey of fractional township 1 north, range 3 west; township 1 north, range 4 west; township 2 north, range 2 west; township 2 south, range 4 west.	San Bernardino.	\$450 00	.....	Mr. Perris released at his own request from that portion of this contract pertaining to township 2 north, range 2 west, San Bernardino meridian; balance of survey completed; field notes on file.
T. H. Ward.....	Nov. 13, 1876	Complete the subdivision of township 27 north, range 1 east; township 28 north, range 1 east; township 30 north, range 1 east.	Mount Diablo ..	1,044 00	\$1,061 92	Plats and field notes transmitted; account closed.
W. A. Richards .....	Nov. 13, 1876	Complete the subdivision of township 1 south, range 16 east; township 1 south, range 17 east; township 3 south, range 16 east.	....do .....	1,355 00	.....	Do.
Albert G. Ruxton .....	Nov. 13, 1876	Complete the subdivision of township 1 north, range 1 east; township 1 north, range 1 west.	San Bernardino.	600 00	327 80	Do.
G. B. Tolman .....	Nov. 13, 1876	Complete the subdivision of township 11 north, range 14 west; township 12 north, range 13 west; township 12 north, range 14 west; township 13 north, range 15 west; township 14 north, range 15 west.	Mount Diablo ..	1,369 00	.....	Survey completed; field notes on file.
James M. Anderson ...	Nov. 14, 1876	Complete the subdivision of township 5 north, range 17 east; township 6 north, range 17 east; township 9 north, range 16 east; township 10 north, range 16 east.	....do .....	1,860 00	.....	Plats and field notes for a portion of this contract transmitted and account paid; balance of survey completed and field notes being copied.
James E. Woods .....	Nov. 16, 1876	Complete the subdivision of township 24 north, range 18 west; township 24 north, range 19 west; township 17 north, range 16 west; township 12 north, range 8 west.	....do .....	640 00	.....	June 18, 1877, James E. Woods released at his own request from that portion of this contract relating to township 24 north, ranges 18 and 19 west, Mount Diablo meridian; contract not approved, see Commissioner's letters of December 1, 1876, and July 2, 1877.
I. N. Chapman.....	Nov. 17, 1876	Complete the subdivision of township 29 south, range 36 east; township 29 south, range 37 east; township 29 south, range 38 east.	....do .....	996 00	996 78	Plats and field notes transmitted; account closed.
William H. Carlton ..	Nov. 17, 1876	Complete the subdivision of township 28 south, range 38 east; township 28 south, range 39 east; township 29 south, range 39 east.	....do .....	972 00	1,020 79	Do.
G. H. Perrin .....	Dec. 12, 1876	Complete the subdivision of township 17 south, range 4 east; township 17 south, range 5 east.	....do .....	600 00	.....	Survey made, field notes examined and found to be incorrect; returned to department for correction.
J. C. Fairchild.....	Jan. 20, 1877	Complete the subdivision of township 4 south, range 15 east.	....do .....	162 00	153 96	Plats and field notes transmitted; account closed.
J. G. Parko.....	Mar. 26, 1877	Complete the subdivision of township 11 north, range 15 west.	San Bernardino.	100 00	42 00	Do.

H. H. Sandford .....	Apr. 25, 1877	Complete the subdivision of township 17 north, range 6 west.	Mount Diablo...	261 00	.....	Survey made, field notes examined and found to be incorrect; returned to department for correction.
W. F. Benson .....	May 25, 1877	Complete the subdivision of township 9 south, range 1 east; township 9 south, range 2 east; township 10 south, range 2 east; township 10 south, range 3 east; township 10 south, range 6 east; township 10 south, range 7 east; township 11 north, range 3 west; township 12 north, range 3 west; township 22 south, range 7 east; township 31 north, range 17 east; township 20 north, range 18 east; township 22 north, range 18 east; township 23 north, range 18 east; township 25 north, range 18 east.	...do .....	2,800 00	.....	Deputy in the field.
J. R. Glover .....	May 26, 1877	Extend the fourth standard parallel along south boundary of township 21 north, ranges 9, 10, 11, and 12 west; also complete the subdivision of township 18 north, range 10 west; township 19 north, range 10 west; township 20 north, ranges 10 and 11 west; townships 21, 22, and 23 north, ranges 10 and 11 west; townships 24 and 25 north, range 10 west; township 16 north, range 14 west; township 25 south, ranges 6, 7, 8, and 9 east; township 26 south, ranges 8, 9, and 10 east; township 27 south, range 9 east; township 21 south, range 3 east; and township 22 south, range 4 east. Also township 8 north, ranges 24, 25, 26, 27, and 28 west; township 12 north, range 30 west, and townships 9 and 10 north, ranges 30 and 31 west.	...do .....	5,000 00	.....	Do.
			San Bernardino }			

H. G. ROLLINS,  
United States Surveyor General for California.

**B.—Statement of contracts entered into by the United States surveyor general for California with deputy surveyors, for the survey of public lands, during the fiscal year ending June 30, 1877, and payable from special deposits made in conformity with the act of March 3, 1871.**

Name of deputy.	Date of contract.	Location of field work.	Meridian.	Amount of contract.	Returned amount.	Name of depositor.	Remarks.
George H. Perrin ...	July 12, 1876	Complete the survey of the exterior boundaries and complete the subdivision of township 20 north, range 14 east; township 20 north, range 15 east; township 21 north, range 15 east; township 21 north, range 16 east; township 21 north, range 17 east.	Mount Diablo.	\$3,724 00	\$2,849 10	Central Pacific Railroad Company.	Plats and field notes transmitted; account closed.
S. W. Foreman .....	July 27, 1876	Complete the subdivision of township 5 south, range 5 east.	Humboldt....	540 00	510 00	Perry Drury <i>et al</i> .....	Do.
John C. Smyles .....	Aug. 7, 1876	Complete the subdivision of township 16 north, range 13 east.	Mount Diablo.	36 00	35 00	J. E. Hannah.....	Do.
A. B. Beauvais .....	Aug. 11, 1876	Complete the subdivision of township 1 north, range 14 east.	....do .....	42 00	42 00	Fred. Mayer .....	Do.
R. M. Wilson.....	Aug. 15, 1876	Complete the subdivision of township 27 north, range 9 east.	....do .....	154 00	.....	H. Sausser and James Henry.	Survey completed; field notes on file.
James E. Woods ....	Aug. 24, 1876	Complete the subdivision of township 19 north, range 17 west.	....do .....	176 00	175 84	Thomas Dean <i>et al</i> ...	Plats and field notes transmitted; account closed.
Alexander Dunn....	Sept. 6, 1876	Complete the subdivision of township 8 north, range 2 west.	....do .....	158 00	105 06	S. W. Long.....	Do.
James E. Woods ....	Sept. 13, 1876	Complete the subdivision of township 16 north, range 16 west; township 17 north, range 16 west.	....do .....	175 00	99 26	s Thompson <i>et al</i>	Do.
R. R. Harris.....	Oct. 24, 1876	Complete the subdivision of township 31 south, range 14 east.	....do .....	112 00	.....	J. N. Jatta .....	Field notes on file, not platted.
James E. Woods ....	Oct. 25, 1876	Complete the subdivision of township 12 north, range 8 west; township 13 north, range 8 west.	....do .....	62 00	37 97	Albert Bassett.....	Plats and field notes transmitted; account closed.
J. R. Glover.....	Oct. 31, 1876	Complete the subdivision of township 13 north, range 16 west.	....do .....	300 00	241 38	Mrs. S. M. Foster <i>et al</i>	Do.
L. Seibold.....	Oct. 31, 1876	Complete the subdivision of township 2 south, range 11 west.	San Bernardino	30 00	.....	William Temple ....	Field notes on file, not platted.
J. R. Glover.....	Nov. 13, 1876	Complete the subdivision of township 24 north, range 15 west; township 24 north, range 16 west; and such other lines as may be necessary to locate the above townships.	Mount Diablo	1,000 00	743 25	A. Davidson <i>et al</i> ....	Plats and field notes transmitted; account closed.
R. F. Herrick .....	Nov. 21, 1876	Complete the subdivision of township 5 north, range 3 east.	Humboldt....	52 00	25 95	Charles Foulke .....	Do.
A. L. Knowlton .....	Dec. 4, 1876	Complete the subdivision of township 15 north, range 7 west.	Mount Diablo	430 00	77 40	A. B. Allen <i>et al</i> .....	Do.

J. R. Glover.....	Dec. 10, 1876	Subdivide township 23 north, range 15 west, including the necessary township lines; to connect said township with the public surveys.	do .....	1,000 00	{ 213 24 204 02	William Smith <i>et al.</i> ... Theodore Jones <i>et al.</i> ..	} Do.
G. W. Lewis.....	Jan. 4, 1877	Complete the subdivision of township 8 north, range 32 west.	San Bernardino	60 00		W. C. Howard .....	Survey not returned.
Charles T. Healey...	May 23, 1876	Complete the subdivision of township 9 south, range 3 east.	Mount Diablo.	116 00	97 39	M. J. Otis .....	Plats and field notes transmitted; account closed.
James E. Woods....	Feb. 24, 1877	Complete the subdivision of township 19 north, range 14 west.	do .....	225 00		E. E. Toney <i>et al.</i> .....	Do.
George H. Perrin....	Mar. 1, 1877	Complete the subdivision of township 10 north, range 7 west.	do .....	200 00	22 01	Mrs. Mary Ann Hall..	Do.
R. F. Herrick .....	Mar. 2, 1877	Complete the subdivision of township 2 south, range 2 west.	Humboldt....	266 00		Wm. Vandever <i>et al.</i> ..	Survey not returned.
James E. Woods .....	Apr. 26, 1877	Complete the subdivision of township 18 north, range 14 west.	Mount Diablo.	250 00	231 51	Allen Davidson <i>et al.</i> ..	Plats and field notes transmitted; account closed.
Arthur L. Cox .....	Apr. 28, 1877	Complete the subdivision of township 7 north, range 11 west.	do .....	100 00	58 72	Sidney Booth .....	Do.
D. F. Spurr .....	May 1, 1877	Complete the subdivision of township 12 north, range 12 west.	do .....	25 00		J. A. Rolla .....	Field notes returned for correction.
R. M. Wilson.....	May 9, 1877	Complete the subdivision of township 25 north, range 11 east.	do .....	168 00		E. D. Hasselkus.....	Field notes on file, not platted.
A. L. Cervantes .....	May 9, 1877	Complete the subdivision of township 30 south, range 14 east.	do .....	400 00			Survey not returned.
Preston Davis .....	May 21, 1877	Complete the subdivision of township 17 north, range 11 west.	do .....	100 00		Thomas Hopper .....	Plat and field notes transmitted; account closed.
J. G. Parke .....	June 22, 1877	Complete the survey of fractional township 11 north, range 17 west; township 11 north, range 18 west.	San Bernardino	250 00			Field notes on file, not platted.

H. G. ROLLINS,  
United States Surveyor General for California.

BB.—Statement of contracts entered into by the United States surveyor general for California, with deputy surveyors, for the survey of private land claims during the fiscal year ending June 30, 1877, and payable out of the appropriation (\$5,000) for the survey of private land claims.

Date of contract.	Name of deputy.	Name of rancho.	Amount of contract.	Returned amount.
Oct. 18, 1876	John A. Benson.....	Resurvey the north boundary of pueblo of Sonoma, mayor and common council of Sonoma confirmee.	\$50 00	\$41 49

H. G. ROLLINS,  
United States Surveyor General for California.

C.—Statement of surveys of mines in California during the fiscal year 1876-'77, made in conformity with the act of Congress approved May 10, 1872.

Approval of survey.	Name of mine.	Location.
Aug. 28, 1876	Allance quartz mine and mill site.....	Sierra County.
Sept. 25, 1876	Anurecochea quartz mine and mill site.....	Fresno County.
Sept. 25, 1876	Arambide quicksilver mine.....	Do.
Jan. 23, 1876	Advance silver mine.....	Alpine County.
Feb. 3, 1877	Acacia mines.....	Do.
Apr. 21, 1877	American Hill quartz mine.....	Sierra County.
May 24, 1877	All's Well quartz mine.....	Nevada County.
Aug. 17, 1876	Balley quartz mine.....	El Dorado County.
Aug. 26, 1876	Boneset mine.....	Do.
Oct. 23, 1876	Burgess quartz mine.....	Calaveras County.
Dec. 27, 1876	Brilliant quartz mine.....	Plumas County.
Dec. 30, 1876	Back Bone placer mine.....	Nevada County.
Feb. 15, 1877	Bald Mountain extension mines.....	Sierra County.
Feb. 20, 1877	Bueno and Balaklava mines.....	Alpine County.
Mar. 13, 1877	Buchanan quartz mine and mill site.....	Tuolumne County.
Mar. 29, 1877	Blumenberg mine.....	Kern County.
Apr. 12, 1877	Bull Run copper mine.....	Nevada County.
June 9, 1877	Bullion Consolidated quartz mine.....	Do.
July 22, 1876	Constitution quartz mine.....	Do.
Aug. 19, 1876	Cave Diggins placer mine.....	Tuolumne County.
Oct. 23, 1876	Cesapi oil mine.....	Ventura County.
Dec. 27, 1876	Caledonia quartz mine.....	Plumas County.
Feb. 3, 1877	Crater Hill Company's quartz mine.....	Placer County.
Feb. 17, 1877	Collier gold, silver, and copper mine.....	Calaveras County.
Feb. 27, 1877	Consuelo gold quartz mine and mill site.....	Tuolumne County.
Mar. 20, 1877	Charles quartz mine.....	El Dorado County.
Mar. 23, 1877	Columbia quartz mine.....	Plumas County.
Mar. 30, 1877	Crater Hill west extension quartz mine.....	Placer County.
May 24, 1877	Centennial quartz mine.....	Amador County.
June 9, 1877	Churchill quartz mine.....	Tuolumne County.
June 30, 1877	Campbell & Co. placer mine.....	Placer County.
Aug. 19, 1876	Diggles placer mine.....	Siskiyou County.
Oct. 23, 1876	Drouillard placer mine.....	El Dorado County.
Dec. 30, 1876	Doig Consolidated quartz mine.....	Placer County.
Feb. 15, 1877	Dahlonga quartz mine.....	Do.
Mar. 19, 1877	Dixie placer mine.....	Plumas County.
June 2, 1877	Deadwood quartz mine.....	Nevada County.
June 21, 1877	Dutch quartz mine and mill site.....	Tuolumne County.
Sept. 9, 1876	Excelsior quartz mine and mill site.....	El Dorado County.
Sept. 7, 1876	Enterprise, Jefferson, San Felipe, and Union mine.....	Inyo County.
Oct. 28, 1876	Evergreen quartz mine.....	Plumas County.
Dec. 16, 1876	Ellis quartz mine.....	Do.
Dec. 24, 1876	Emerald quartz mine.....	Do.
Mar. 13, 1877	Earl quartz mine.....	El Dorado County.
Mar. 16, 1877	Eureka Peak placer mine.....	Plumas County.
Mar. 30, 1877	Excelsior quartz mine.....	Tuolumne County.
Apr. 11, 1877	Eagle copper and silver mine and mill site.....	Calaveras County.
June 2, 1877	Empire quicksilver mine.....	Sierra County.
June 15, 1877	Esmeralda and Hercules lode mine.....	Alpine County.
Nov. 15, 1876	Ferguson Wallace mine and mill site.....	Calaveras County.
Dec. 9, 1876	Foster & Williams placer mine.....	Siskiyou County.
Feb. 27, 1877	Five Cent Gulch placer mine.....	Trinity County.
Aug. 5, 1876	Gray's Flat placer mine.....	Mariposa County.
Aug. 23, 1876	Gold King placer mine.....	Placer County.
Oct. 28, 1876	Gold Stripe quartz mine.....	Plumas County.
Jan. 18, 1877	General Grant quartz mine.....	Nevada County.
May 8, 1877	Green quartz mine.....	Placer County.
May 19, 1877	Golden Eagle quartz mine.....	Amador County.
June 2, 1877	Gartland placer mine.....	Shasta County.

C.—Statement of surveys of mines in California during the fiscal year 1873-'77, &amp;c.—Cont'd.

Approval of survey.	Name of mine.	Location.
June 14, 1877	Grass Valley mine and mill site.....	Nevada County.
Apr. 21, 1877	Go Ahead original and extension and placer mine.....	Sierra and Plumas Counties.
Oct. 5, 1876	Hooper extension quartz mine.....	Plumas County.
May 19, 1877	Hill quartz mine and mill site.....	El Dorado County.
June 21, 1877	Heslep quartz mine and mill site.....	Tuolumne County.
June 27, 1877	Indian quartz mine.....	Amador County.
Feb. 17, 1877	I. X. L. and Ophir mines.....	Alpine County.
Feb. 17, 1877	I. X. L. and Ophir mill site.....	Do.
Apr. 7, 1877	Imperial north and south extension mines.....	Do.
Oct. 28, 1876	Jersey gold quartz mine.....	Plumas County.
Feb. 10, 1877	Jenny Lind mine.....	Mariposa County.
Dec. 27, 1876	Kettle quartz mine.....	Plumas County.
Mar. 13, 1877	Kent placer mine.....	Amador County.
Oct. 23, 1876	Le Campton gold quartz mine.....	Nevada County.
Nov. 4, 1876	Louisiana gold quartz mine.....	Mariposa County.
Jan. 25, 1877	Loyal quartz lode mine.....	Amador County.
Feb. 19, 1877	Leitrim quartz mine.....	Plumas County.
Apr. 7, 1877	La Despreslada lead and silver mine.....	Inyo County.
June 2, 1877	Lion mill site.....	Colusa County.
June 9, 1877	Lareon Cañon placer mine.....	Placer County.
Oct. 3, 1876	Mountain View placer mine.....	Sierra County.
Jan. 20, 1877	Mercury quicksilver mine.....	Napa County.
Jan. 20, 1877	Manzanita quicksilver mine.....	Do.
Jan. 20, 1877	Minnesota quicksilver mine.....	Do.
Jan. 20, 1877	Morning Star mines.....	Alpine County.
Mar. 1, 1877	Mammoth quartz mine.....	Plumas County.
Mar. 16, 1877	Mohawk placer mine.....	Do.
Mar. 22, 1877	Mammoth Bar River mine.....	Placer and El Dorado Counties.
Mar. 22, 1877	Mammoth Bar mine.....	Do.
Apr. 21, 1877	Maryland quartz mine.....	Amador County.
Dec. 4, 1876	North Banner quartz mine.....	Nevada County.
Dec. 9, 1876	North Five-Cent Hill placer mine.....	El Dorado County.
Feb. 3, 1877	North Gover quartz mine.....	Amador County.
Mar. 20, 1877	Nevada placer mine.....	Yuba County.
May 8, 1877	No Name quartz mine.....	Tuolumne County.
Nov. 15, 1876	Oak Butte and Excelsior placer mine.....	Sierra County.
Mar. 3, 1877	Old Smooth-Bore quartz mine.....	Tuolumne County.
Mar. 13, 1877	Omega quartz mine.....	Nevada County.
June 23, 1877	Oriental placer mine.....	Plumas County.
Aug. 26, 1876	Plymouth Rock quartz mine.....	Amador County.
Sept. 7, 1876	Penn Consolidated quartz mine.....	Nevada County.
Nov. 4, 1876	Phoenix quartz mine.....	Plumas County.
Dec. 30, 1876	Peachy Can quartz mine and mill site.....	Placer County.
Feb. 15, 1877	Pacolepovich quartz mine.....	Amador County.
Mar. 1, 1877	Pioneer placer mine.....	Plumas County.
Mar. 13, 1877	Page placer mine.....	Placer County.
June 13, 1877	Pacific quartz mine.....	Nevada County.
Oct. 28, 1876	Rodgers quartz mine.....	Plumas County.
Dec. 9, 1876	Rush Creek placer mine.....	Do.
Dec. 27, 1876	Ruby quartz mine.....	Do.
Jan. 6, 1877	Relief quartz mine and mill site.....	Kern County.
Mar. 3, 1877	Rifle quartz mine.....	Tuolumne County.
May 8, 1877	Republic quartz mine and mill site.....	Nevada County.
July 10, 1876	Spear John placer mine.....	Amador County.
Aug. 28, 1876	Sunnyside placer mine.....	Sierra County.
Oct. 10, 1876	Scotchman Creek placer mine.....	Nevada County.
Oct. 23, 1876	Smith & Martin quartz mine.....	Plumas County.
Dec. 9, 1876	Spring Gulch quartz mine and mill site.....	Tuolumne County.
Jan. 20, 1877	South Honour placer mine.....	Yuba and Butte Counties.
Feb. 27, 1877	Saint Helena silver and lead mines.....	Alpine County.
Apr. 21, 1877	Stockton quartz mine.....	Nevada County.
Apr. 21, 1877	Schwalm marble quarry and limekiln site.....	El Dorado County.
May 8, 1877	Siskiyou gold quartz mine and mill site.....	Siskiyou County.
May 24, 1877	Spring Valley Mining and Irrigating Company's placer mine.....	Butte County.
June 23, 1877	Stockton quartz mine and mill site.....	Nevada County.
June 30, 1877	San Benito silver quartz mine.....	Inyo County.
Oct. 23, 1876	Thorpe gold quartz mine.....	Calaveras County.
Mar. 20, 1877	Tiger quartz mine.....	Do.
June 9, 1877	Taylor quartz mine.....	Do.
Sept. 7, 1876	Union gold-bearing quartz mine.....	Do.
Apr. 30, 1877	Union placer mine.....	Yuba County.
June 9, 1877	Uncle Sam quicksilver mine and mill site.....	Lake County.
Dec. 9, 1876	Virginia Consolidated quartz mine.....	Inyo County.
Oct. 10, 1876	Warren quicksilver mine.....	Mendocino County.
Oct. 10, 1876	Wheale Perrin quartz mine.....	Tuolumne County.
Oct. 28, 1876	Wolf Creek quartz mine.....	Plumas County.
Apr. 30, 1877	Washington blue gravel mine.....	Sierra County.
June 23, 1877	Washington placer mine.....	Plumas County.
June 30, 1877	Wilkerson placer mine.....	Nevada County.

D.—Statement of number of miles surveyed in California to June 30, 1877.

Name of surveyor.	Date of contract.	Meridian.	Base.	Standard.	Township.	Section.	Meander.
		<i>Ms. chs. lks.</i>	<i>Ms. chs. lks.</i>	<i>Ms. chs. lks.</i>	<i>Ms. chs. lks.</i>	<i>Ms. chs. lks.</i>	<i>Ms. chs. lks.</i>
Miles surveyed to June 30, 1876, as per last report.....		782 60 29	403 61 23	5,319 62 82	29,925 37 19	122,713 00 41	2,143 71 72
Anderson, James M.....	Jan. 3, 1876				27 79 33	180 22 55	
Do.....	Sept. 22, 1876				19 38 49	169 74 48	
Benson, John A.....	Dec. 13, 1875					35 09 17	
Do.....	Sept. 11, 1876				13 40 14	61 12 67	
Brown, Denton D.....	May 22, 1875				8 74 83	49 43 29	
Do.....	July 19, 1875			63 85	3 47 59	6 59 99	
Do.....	July 19, 1875			72 30	5 29 93	1 00 00	
Beauvais, A. B.....	Sept. 18, 1875				34 56 80	114 61 15	
Do.....	Aug. 11, 1876					3 00 00	
Bond, L. D.....	Aug. 20, 1875				43 53 80	207 20 23	
Do.....	Jan. 5, 1876				26 57 65	175 47 14	24 38 40
Chapman, I. N.....	Sept. 11, 1876				22 03 90	120 18 03	
Do.....	Nov. 17, 1876					166 10 46	
Carlton, William H.....	Sept. 11, 1876			6 00 00	27 04 60	120 20 61	
Do.....	Nov. 17, 1876			2 32 88	15 71 30	147 45 85	
Cox, Arthur L.....	Apr. 23, 1877					1 61 60	4 64 71
Dunn, Alexander.....	Sept. 6, 1876				3 00 00	4 06 08	
Davis, Preston.....	Jan. 12, 1876					1 00 00	
Foreman, S. W.....	July 27, 1876			1 09 60	11 79 19	59 75 20	
Fairchild, J. C.....	Sept. 11, 1876				18 01 32	64 05 53	
Do.....	Jan. 20, 1877			1 76 04		27 72 93	
Goldsworthy, John.....	Oct. 3, 1873				1 20 38	36 50 13	9 07 79
Do.....	Oct. 3, 1873				6 03 00	58 48 65	1 57 52
Do.....	Feb. 25, 1875				3 40 25	5 78 12	3 10 28
Do.....	Aug. 16, 1875				1 30 76	13 76 77	3 09 75
Do.....	Oct. 1, 1875					1 79 13	1 07 22
Do.....	Oct. 4, 1875				4 38 88	3 64 06	3 46 51
Do.....	Oct. 24, 1874				03 02	4 67 99	11 58 21
Glover, James R.....	June 1, 1875			17 36 63	65 06 16	385 05 26	4 45 14
Do.....	Sept. 16, 1875			6 60 00	17 41 05		
Do.....	Nov. 12, 1875				56 14 01	178 69 66	
Do.....	Nov. 13, 1876				39 03 06	78 26 54	
Do.....	Dec. 10, 1876				7 22 60	27 02 44	
Do.....	Oct. 31, 1876				7 00 93	32 04 05	
Gilcrest, John.....	Sept. 11, 1876				48 17 20	181 23 42	
Healy, C. T.....	Aug. 14, 1875				2 15 66	18 34 81	9 75 75
Do.....	Apr. 7, 1876				4 11 05	3 28 99	10 26
Do.....	May 23, 1876					2 25 00	4 26 79
Hermann, A. T.....	Sept. 11, 1876				9 46 12	18 07 79	8 17 30
Herrick, R. F.....	Nov. 21, 1876				1 79 70	1 79 80	
Knowlton, A. L.....	Dec. 4, 1876					12 72 07	
Lukin, George W.....	May 8, 1876				1 00 00	5 67 25	58 01
McGann, James.....	Oct. 9, 1874					11 13	1 16 60



McKay, Alexander	July 26, 1875				5 40 00	40 36 02	3 34 68
Do	Sept. 10, 1875				50 54 15	124 53 84	
Minto, William	May 12, 1876				10 03 49	30 42 85	
Norway, William H.	Sept. 19, 1876				15 42 69	65 43 84	2 78 70
Perrin, George H.	Sept. 16, 1875				5 51 88	48 04 40	
Do	Jan. 31, 1876				1 52 87	20 36 01	
Do	July 12, 1876			73 95	23 07 89	175 73 65	
Do	Oct. 27, 1876						1 40 70
Do	Mar. 1, 1877					3 49 33	01 68
Purenton, C. P.	Apr. 20, 1876					4 62 97	
Do	June 6, 1876			1 61 57	6 02 57	30 58 70	5 69 09
Parke, I. G.	Mar. 26, 1877					7 00 00	
Ripley, F. L.	May 7, 1874	2 11 24		2 10 40			
Reynolds, William P.	Sept. 11, 1876			60 00	4 00 00	7 05 57	3 75 13
Richards, William A.	Sept. 11, 1876				23 73 27	59 67 41	
Spurr, D. F.	Feb. 15, 1875			40 00	1 25 85	28 59 59	2 37 90
Smith, A. A.	Mar. 24, 1876				4 00 48	23 05 47	
Do	May 26, 1876				11 38 71	23 40 75	
Do	June 28, 1876				11 78 28	45 27 35	
Smytes, John C.	Aug. 7, 1876					2 40 00	
Tucker, George	Sept. 25, 1875				11 50 36	35 66 27	9 13 51
Wheeler, M. G.	June 21, 1875	44 00		3 00 00	67 17 69	175 48 88	
Ward, T. H.	May 12, 1876				30 01 89	53 21 12	
Woods, James E.	Aug. 24, 1876				3 79 81	7 79 34	
Do	Sept. 13, 1876				4 01 75	3 39 48	
Do	Oct. 25, 1876				2 00 00	3 79 66	
Do	Feb. 24, 1877				6 79 89	26 35 69	
Do	Apr. 26, 1877				6 79 97	30 33 43	
Total		785 35 53	403 61 23	5,365 40 04	30,791 14 49	126,584 62 25	2,255 13 35

H. G. ROLLINS,  
United States Surveyor-General for California.

E.—List of lands surveyed in California from June 30, 1876, to June 30, 1877.

[illegible]

28	Township 24 north, range 18 east...	do	2,013.61			1,493.84				3,436.45
29a	Township 27 north, range 8 east...	do	14,836.18			5,786.40	2,400.00			23,032.58
30	Township 28 north, range 2 east...	do	20,549.47			2,477.44				23,026.91
31	Township 28 north, range 3 east...	do	11,234.79			13,810.00				25,044.79
32a	Township 28 north, range 13 east...	do	21,891.60			953.54			Area of Honey Lake. 173.85	23,018.99
33	Township 32 north, range 11 east...	do	10,834.46					F	F + area of Eagle Lake. 11,960.00	22,794.46
34	Township 32 north, range 15 east...	do	8,000.00			15,040.00				23,040.00
35	Township 34 north, range 15 east...	do	14,053.16			6,560.00	2,314.53			22,927.69
36	Township 37 north, range 13 east...	do	23,058.50							23,058.50
37	Township 38 north, range 12 east...	do	23,076.13							23,076.13
38	Township 39 north, range 12 east...	do	21,980.03				802.48		Area of Delta Lake. 256.97	23,039.48
39a	Township 4 north, range 10 west...	do	919.75	A					A + area of Tomales Bay. 11,830.00	12,749.75
40a	Township 7 north, range 11 west...	do	4,792.00	A					A + area of Russian River. 16,570.26	21,362.26
41a	Township 8 north, range 2 west...	do	19,955.17	229.99		3,040.00				23,225.16
42a	Township 8 north, range 11 west...	do	23,995.03	32.57						24,027.60
43a	Township 9 north, range 8 west...	do	12,157.66	11,269.46						23,427.12
44a	Township 10 north, range 7 west...	do	14,471.16	4,782.23		5,622.38				24,875.77
45a	Township 11 north, range 7 west...	do	12,071.84	9,794.02						21,865.86
46a	Township 11 north, range 11 west...	do	16,460.71	298.00		6,612.52				23,371.23
47a	Township 12 north, range 8 west...	do	17,869.78			D	233.00		D + area of lake. 3,426.68	21,529.46
48a	Township 13 north, range 7 west...	do	15,558.96			3,520.00			Area of lake and Cache Creek. 3,919.08	22,998.04
49a	Township 13 north, range 8 west...	do	5,093.23			D	40.00		D + area of Clear Lake. 17,966.88	23,100.11
50a	Township 13 north, range 16 west...	do	18,243.50			4,762.36				23,005.86
51a	Township 14 north, range 16 west...	do	22,719.64							22,719.64
52a	Township 15 north, range 4 west...	do	23,199.16				40.00		Amendm't omitted in former return. 23,239.16	23,239.16
53	Township 15 north, range 7 west...	do	3,227.07			20,853.36				24,080.43
54	Township 16 north, range 14 west...	do	15,492.71			9,497.36				24,990.07
55a	Township 16 north, range 16 west...	do	23,012.65							23,012.65
56a	Township 18 north, range 14 west...	do	22,678.53					320.00		22,998.53
57a	Township 19 north, range 14 west...	do	22,243.89				275.90	480.00		22,999.79
58a	Township 19 north, range 17 west...	do	19,474.18							19,474.18
59a	Township 22 north, range 1 west...	do	6,956.81	A			2,495.13		A + area of Sacramento River. 13,444.06	22,896.00
60	Township 23 north, range 15 west...	do	9,306.48			12,185.00				21,491.48



88	Township 29 south, range 37 east..	do	23, 107. 78							23, 107. 78
89a	Township 29 south, range 38 east..	do	22, 237. 75						{ Area of Dry Salt Lake. }	23, 042. 55
90a	Township 29 south, range 39 east..	do	23, 055. 65							23, 055. 65
91	Township 30 south, range 32 east..	do	23, 860. 52							23, 860. 52
92	Township 30 south, range 34 east..	do	23, 123. 58							23, 123. 58
93	Township 30 south, range 35 east..	do	23, 089. 11							23, 089. 11
94	Township 30 south, range 36 east..	do	23, 128. 25							23, 128. 25
95	Township 31 south, range 32 east..	do	23, 380. 34							23, 380. 34
96	Township 31 south, range 33 east..	do	14, 135. 35					8, 900. 00		23, 035. 35
97	Township 31 south, range 34 east..	do	7, 215. 95							23, 615. 95
98	Township 5 south, range 2 east..	San Bernardino	6, 448. 80					16, 400. 00		23, 048. 80
99	Township 6 south, range 3 east..	do	9, 538. 70					16, 600. 00		23, 078. 70
100	Township 7 south, range 1 east..	do	17, 070. 17					13, 540. 00		23, 154. 97
101	Township 7 south, range 2 east..	do	12, 343. 16					6, 084. 80		23, 103. 16
102	Township 7 south, range 3 east..	do	16, 037. 20					10, 760. 00		23, 087. 20
103a	Township 1 north, range 11 west..	do	4, 234. 83	11, 176. 39				7, 050. 00		23, 077. 40
104a	Township 1 north, range 12 west..	do	2, 247. 84	19, 510. 90				7, 666. 18		23, 038. 74
105	Township 1 north, range 14 west..	do	2, 634. 28	17, 785. 74				2, 662. 70	1, 280. 00	23, 082. 72
106	Township 2 north, range 14 west..	do	2, 349. 07	15, 436. 00				5, 213. 13		22, 998. 20
107	Township 4 north, range 15 west..	do	22, 918. 82							23, 078. 82
108	Township 1 south, range 4 west..	do	3, 644. 99	18, 286. 17				1, 108. 84	160. 00	23, 040. 00
109a	Township 1 south, range 10 west..	do	6, 800. 89	16, 239. 83						23, 040. 72
110	Township 1 south, range 15 west..	do	2, 076. 79	1, 415. 90				19, 547. 31		23, 040. 00
111	Township 3 south, range 7 west..	do	1, 976. 55	19, 046. 45					1, 032. 00	22, 955. 00
112	Township 3 south, range 3 west..	do	13, 759. 36	1, 919. 55				7, 729. 46		23, 408. 37
113	Township 14 south, range 3 west..	do	21, 538. 00	1, 285. 00						23, 123. 00
114a	Township 16 south, range 1 west..	do	6, 583. 07	16, 520. 63						23, 103. 70
115a	Township 17 south, range 1 west..	do	7, 386. 57	A				D	A + D	23, 124. 78
116a	Township 5 north, range 3 east..	Humboldt	21, 538. 48					1, 418. 14		22, 956. 62
117	Township 5 south, range 5 east..	do	22, 966. 33							22, 966. 33
Aggregate.....			1,845,670. 12	240, 863. 42			339, 333. 26	15, 741. 57	32, 607. 60	2, 609, 074. 32
a	Township 1 north, range 14 east..	Mount Diablo	21, 702. 68				1, 280. 00			22, 982. 68
a	Township 5 north, range 16 east..	do	2, 728. 76				20, 230. 00			22, 958. 76
a	Township 20 north, range 14 east..	do	7, 920. 00				D	E	D + E	23, 040. 00
a	Township 20 north, range 15 east..	do	3, 269. 05				19, 633. 92			22, 902. 97
a	Township 21 north, range 15 east..	do	11, 841. 02				11, 198. 98			23, 040. 00
a	Township 21 north, range 16 east..	do	3, 672. 00				19, 368. 00			23, 040. 00
a	Township 21 north, range 17 east..	do	10, 674. 36				12, 577. 00			23, 251. 36
a	Township 27 north, range 8 east..	do	13, 827. 98				6, 794. 60	2, 400. 00		23, 022. 58
a	Township 28 north, range 13 east..	do	11, 990. 48				10, 842. 88	173. 85		23, 007. 21
a	Township 4 north, range 10 west..	do	917. 40	A				E	A + E	23, 040. 00
a	Township 7 north, range 11 west..	do	4, 747. 26	A				E	A + E	21, 362. 26
a	Township 8 north, range 2 west..	do	18, 626. 95	229. 99			4, 340. 00			23, 196. 94
a	Township 8 north, range 11 west..	do	5, 280. 00						A + D	23, 040. 00
a	Township 9 north, range 8 west..	do	11, 117. 12	A			D		A + D	23, 427. 12
a	Township 10 north, range 7 west..	do	13, 422. 57	A			D		A + D	24, 875. 77
a	Township 11 north, range 7 west..	do	2, 348. 66	A			D		A + D	21, 864. 00

[E.—List of lands surveyed in California from June 30, 1876, to June 30, 1877—Continued.]

No. of townships surveyed.	Description.	Meridian.	Public land.	A.	B.	C.	D.	E.	F.	Remarks.	Total.
				Confirmed private land claims.	Military reservation.	Indian reservation.	Unsurveyed mountain land.	River, swamp, and overflowed land.	Unsurveyed public land.		
			<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>		
a	Township 11 north, range 11 west.	Mount Diablo.	6,554.80	A			D			A + D 16,482.88	23,037.68
a	Township 12 north, range 8 west	do	14,351.14				D	233.00		D + Lake 6,945.32	21,529.46
a	Township 13 north, range 7 west.	do	10,416.55				D	E		D + E 12,565.74	22,982.29
a	Township 13 north, range 8 west	do	3,333.23				D	40.00		{ D + Clear Lake. } 19,726.88	23,100.11
a	Township 13 north, range 16 west	do	6,076.86				16,929.00				23,005.86
a	Township 14 north, range 16 west	do	22,821.54								22,821.54
a	Township 15 north, range 4 west	do	14,178.90						8,984.00		23,162.90
a	Township 16 north, range 16 west	do	21,416.40				1,610.00				23,026.40
a	Township 18 north, range 14 west	do	8,001.18				15,038.82				23,040.00
a	Township 19 north, range 14 west	do	10,415.92						12,548.00		22,963.92
a	Township 19 north, range 17 west	do	15,634.00				3,850.00				19,484.00
a	Township 22 north, range 1 west	do	6,912.28	A				2,495.13		A + River 13,488.59	22,896.00
a	Township 44 north, range 10 west	do	480.00				22,560.00				23,040.00
a	Township 47 north, range 6 west	do	6,560.00				16,480.00				23,040.00
a	Township 4 south, range 15 east.	do	11,627.71				11,529.60				23,157.31
a	Township 6 south, range 3 east.	do	19,904.69	A			D			A + D 3,210.00	23,114.69
a	Township 13 south, range 24 east.	do	2,702.35				D			{ D + area of King's River. } 20,337.65	23,040.00
a	Township 18 south, range 6 east.	do	2,765.13	A			D			A + D 20,274.87	23,040.00
a	Township 29 south, range 12 east.	do	2,156.64	A			D			A + D 20,883.36	23,040.00
a	Township 29 south, range 38 east.	do	4,175.20				18,092.48			{ Area of Salt Lake. } 784.80	23,052.48
a	Township 29 south, range 39 east.	do	11,533.40				11,518.75				23,052.24
a	Township 1 north, range 11 west	San Bernardino	3,274.83	11,176.39			8,626.18				23,077.40
a	Township 1 north, range 12 west	do	298.74	A			D			A + D 23,038.74	23,337.48
a	Township 1 south, range 10 west.	do	4,581.24	18,459.48							23,040.72
a	Township 16 south, range 1 west.	do	18,824.00	3,968.56							23,103.70
a	Township 17 south, range 1 west	do	10,006.03	10,680.59			311.12				23,124.78
a	Township 5 north, range 3 east.	Humboldt	20,259.39				2,498.17				22,930.25
							2,670.86				

a	Returned in previous reports .....	403,348.54	44,515.01	.....	.....	237,920.36	5,341.98	21,532.00	272,634.97	985,292.86
	Aggregate brought forward .....	1,845,670.12	240,863.42	.....	.....	339,333.26	15,741.57	32,607.60	134,858.35	2,609,074.32
a	Returned in previous reports .....	403,348.54	44,515.01	.....	.....	237,920.36	5,341.98	21,532.00	272,634.97	985,292.86
	Aggregate .....	1,442,321.58	196,348.41	.....	.....	101,412.90	10,399.59	11,075.60	-137,776.62	1,623,781.46

RECAPITULATION.

Acres public land surveyed .....	1,442,321.58
Acres as per column A .....	196,348.41
Acres as per column D .....	101,412.90
Acres as per column E .....	10,399.59
Acres as per column F .....	11,075.60
Deduct difference in column of remarks .....	1,761,558.08
Aggregate .....	137,776.62
	1,623,781.46

H. G. ROLLINS,  
United States Surveyor General for California.



F.—Plats made in the office of the United States surveyor general for California during the fiscal year 1876-77.

Description.	Originals.	Department.	Register.	Posting p'ats.	Skeleton maps.	General maps.	Tracings for account.	Sketches for deputies.	Total.
Plats of township exterior .....	6	6	—	—	—	—	—	—	12
Maps of subdivision lines and amendments.....	127	129	131	—	—	—	—	—	387
Plats of ranches.....	10	11	—	—	41	—	—	—	62
Plats of mining claims and amendments .....	170	196	152	229	—	—	—	—	747
Sketches for deputies .....	—	—	—	—	—	—	—	54	54
Tracings of ranch maps for exhibit and accounts.	—	—	—	—	—	—	12	—	12
Supplemental diagram to subdivision maps.....	24	24	24	—	—	—	—	—	72
General maps .....	—	—	—	—	—	2	—	—	2
Total.....	337	366	307	229	41	2	12	54	1,348

H. G. ROLLINS,  
United States Surveyor General for California.

G.—Statement of transcripts of field notes of public surveys sent to the department at Washington from the office of the United States surveyor general for California, during the fiscal year 1876-77.

Name of deputy.	Date of contract.	Number of transcripts	When sent.
Anderson, James M .....	Jan. 3, 1876	4	Oct. 2, 1876
Do.....	Sept. 22, 1876	4	May 22, 1877
Brown, D. D.....	May 22, 1875	3	July 10, 1876
Do.....	July 19, 1875	2	Mar. 22, 1877
Do.....	July 19, 1875	1	May 15, 1877
Bond, L. D.....	Jan. 5, 1876	7	Oct. 4, 1876
Do.....	Aug. 20, 1875	5	Dec. 18, 1876
Benson, John A.....	Nov. 14, 1876	1	Jan. 24, 1877
Do.....	Dec. 13, 1876	1	Mar. 26, 1877
Do.....	Nov. 8, 1876	1	Mar. 30, 1877
Do.....	Nov. 8, 1876	1	April 7, 1877
Do.....	Sept. 11, 1876	2	June 27, 1877
Beauvais, A. B.....	Sept. 18, 1875	3	Dec. 4, 1876
Do.....	Aug. 11, 1876	1	Dec. 4, 1876
Carlton, William H.....	Sept. 11, 1876	4	Feb. 14, 1877
Do.....	Nov. 17, 1876	4	June 9, 1877
Chapman, I. N.....	Sept. 11, 1876	3	Mar. 23, 1877
Do.....	Nov. 17, 1876	3	June 26, 1877
Cox, Arthur L.....	April 28, 1877	1	June 30, 1877
Davis, Preston.....	Jan. 12, 1876	1	Aug. 28, 1876
Dunn, Alexander.....	Sept. 6, 1876	1	Feb. 16, 1877
Foreman, L. W.....	July 27, 1876	2	Jan. 27, 1877
Fairchilds, J. C.....	Sept. 11, 1876	3	Mar. 26, 1877
Do.....	Sept. 19, 1876	2	Mar. 26, 1877
Do.....	Jan. 20, 1877	1	Mar. 26, 1877
Glover, J. R.....	Nov. 12, 1875	5	July 11, 1876
Do.....	June 1, 1875	1	July 28, 1876
Do.....	Sept. 16, 1875	2	Feb. 1, 1877
Do.....	June 1, 1875	10	Mar. 12, 1877
Do.....	Nov. 13, 1876	4	Mar. 22, 1877
Do.....	Oct. 31, 1876	2	April 3, 1877
Do.....	June 1, 1875	1	April 16, 1877
Do.....	Dec. 10, 1876	2	June 21, 1877
Goldsworthy, John.....	Oct. 3, 1873	1	Aug. 15, 1876
Do.....	Oct. 3, 1873	1	Aug. 15, 1876
Do.....	Oct. 24, 1874	1	Aug. 15, 1876
Do.....	Aug. 10, 1875	2	Aug. 15, 1876
Do.....	Oct. 4, 1875	1	Sept. 14, 1876
Do.....	Oct. 1, 1875	1	Oct. 2, 1876
Do.....	Feb. 25, 1876	1	Oct. 24, 1876
Gilcrest, John.....	Sept. 11, 1876	4	April 27, 1877
Healy, C. T.....	April 7, 1876	1	Aug. 14, 1876
Do.....	Aug. 14, 1875	1	Oct. 16, 1876
Do.....	May 23, 1876	1	Dec. 20, 1876

## G.—Statement of transcripts of field notes, &amp;c.—Continued.

Name of deputy.	Date of contract.	Number of transcripts	When sent.
Herrick, R. F.	Nov. 21, 1876	1	May 4, 1877
Herrman, A. T.	Sept. 11, 1876	1	June 7, 1877
Knowlton, A. L.	Dec. 4, 1876	1	April 2, 1877
Lukin, G. W.	May 8, 1876	1	Oct. 20, 1876
McKay, Alexander	July 26, 1875	4	Nov. 4, 1876
Do	Sept. 10, 1875	6	Nov. 4, 1876
Minto, William	May 12, 1876	2	Aug. 5, 1876
McGann, James	Oct. 9, 1874	1	Nov. 27, 1876
Norway, William H.	Feb. 17, 1876	1	Aug. 3, 1876
Purinton, C. P.	April 20, 1876	1	July 22, 1876
Do	June 6, 1876	1	Feb. 15, 1877
Perris, F. T.	Jan. 31, 1876	1	Oct. 2, 1876
Perrin, George H.	July 12, 1876	5	Jan. 2, 1877
Do	Mar. 1, 1877	1	Mar. 22, 1877
Do	Sept. 16, 1875	1	April 7, 1877
Parke, J. G.	Mar. 26, 1877	1	June 15, 1877
Richards, William A.	Sept. 11, 1876	2	April 6, 1877
Reynolds, William P.	Sept. 11, 1876	1	June 22, 1877
Ripley, F. L.	May 7, 1874	1	July 20, 1876
Spurr, D. F.	Feb. 15, 1875	1	Aug. 1, 1876
Smith, A. A.	Mar. 24, 1876	2	Oct. 2, 1876
Do	June 28, 1876	2	Oct. 2, 1876
Do	May 26, 1876	2	Oct. 2, 1876
Smyles, John C.	Aug. 7, 1876	1	Nov. 27, 1876
Tucker, George	Sept. 25, 1875	4	Dec. 18, 1876
Ward, T. H.	May 12, 1876	3	Aug. 28, 1876
Wilson, R. M.	Oct. 14, 1876	1	Jan. 2, 1877
Woods, James E.	Aug. 24, 1876	1	Feb. 5, 1877
Do	Sept. 13, 1876	1	April 23, 1877
Do	Oct. 25, 1876	1	May 3, 1877
Do	Oct. 25, 1876	1	May 26, 1877
Do	Feb. 24, 1877	2	June 29, 1877
Do	April 26, 1877	2	June 29, 1877
Wheeler, M. G.	June 21, 1875	5	Feb. 7, 1877
Total		165	

H. G. ROLLINS,  
United States Surveyor General for California.

## H.—Statement of descriptive notes, decrees of court, &amp;c., of private land claims, transmitted to the Department at Washington during the fiscal year 1876-77.

When sent.	Papers transmitted.	Name of claim.	To whom confirmed.
Aug. 9, 1876	Plat instructions to C. C. Tracy, United States deputy surveyor; decree dismissing case for want of jurisdiction; final decree and order; record of approval; record of advertisement under act of 1860; record of advertisement under act of 1864; notice to United States attorney to appear on behalf of the United States; testimony of William L. Boggs; exhibit "Hoepner No. 1, J. A. R.;" exhibit "Boggs No. 2, J. A. R.;" exhibits Nos. 3, 4, and 5, J. A. R.; two briefs for T. M. Leavenworth; testimony taken before J. A. Robinson, United States commissioner; and surveyor general's opinion.	Agua Caliente, (part) ...	T. M. Leavenworth.
Jan. 17, 1877	Brief of J. M. Coghlan, United States district attorney.	.....do .....	Do.
May 2, 1877	Protest of L. Aldrich, attorney for T. M. Leavenworth.	.....do .....	Do.
Sept. 2, 1876	Descriptive notes, copies of decrees, and certificate of advertisement.	Bolsa de los Escorpinos.	Salvador Espinoza.
Jan. 3, 1877	Acknowledgment of service of copy of Commissioner's letter "D." of 26th December, 1876, requesting that J. W. Dwinelle be required to state whom he represents in the case.	Caslamayomi .....	William Forbes.

H.—*Statement of descriptive notes, decrees of court, &c.*—Continued.

When sent.	Papers transmitted.	Name of claim.	To whom confirmed.
Jan. 5, 1877	Affidavit of J. W. Dwinelle, esq., that illness prevents answer to Commissioner's query of December 26, 1876.	Caslamayomi .....	William Forbes.
Jan. 16, 1877	Affidavit No. 2, as to illness of J. W. Dwinelle, esq.	.....do .....	Do.
Jan. 27, 1877	Affidavit No. 3, as to illness of J. W. Dwinelle, esq.	.....do .....	Do.
Apr. 6, 1877	Appeal of Smith and Redington from Commissioner's decision of 2d of February, 1877, and stipulation as to location of eastern line.	.....do .....	Do.
July 12, 1876	Certified copy of decree of confirmation	Corral de Quati .....	M. A. de la G. y Lat-aillade.
Apr. 28, 1877	Appearance of Sol. A. Sharp as attorney for Reed heirs; protest of A. F. de Silva; objections of S. R. Throckmorton; diseño of Saucelito espediente, accompanying objections of Throckmorton; objections of Thos. Luke Reilly <i>et al.</i> to extension of survey; deed from board of tide-land commissioners to Leonard Storry, dated 20th May, 1871; deed from board of tide-land commissioners to Hugh Crockard, dated 20th May, 1871; deed from Hugh Crockard to John Storry, dated February 26, 1872; deed from board of tide-land commissioners to Leonard Storry, dated July 12, 1872; notice from S. A. Sharp that he intends to move to strike out objections to survey, June 2, 1875; Inez Reed Deffebach gives notice that she is not represented by any attorney in the case, July 27, 1875; Antonio F. de Silva authorizes J. B. Howard to appear for him, August 7, 1875; letter from Cutter, Shanklin, and Mullan & Hyde in relation to surveyor general's intention to send up case on Ransom's compilation; motion of J. B. Howard to send up case on Ransom's compilation, October 27, 1875; Mullan & Hyde's motion, October 27, 1875; Mullan & Hyde's affidavit, October 27, 1875; motion of J. B. Howard to strike out motion and papers filed by Mullan & Hyde, October 27, 1875; certified copy of record of advertisement; affidavit of Capt. John Mullan, April 7, 1876; letter from Walter Van Dyke, United States district attorney, stating that Jno. B. Howard appears in case with his permission, 20th May, 1876; points by attorney for the United States, September 14, 1876; notice that the United States and pre-emption claimants reserve right to file briefs, &c., before Commissioner of the General Land Office, 15th September, 1876; extract from testimony of S. R. Throckmorton in case of Bolton <i>vs.</i> Van Reynegan <i>et al.</i> ; affidavit of José de la Cruz Sanchez; six letters in relation to Peninsula Island, and small island at extreme end of Point Tiburon; field notes of Matthewson's survey in October, 1858, marked "Ex. Matthewson No. 2;" field notes of Ransom's survey in September and October, 1873; field notes of Ransom's survey in November and December, 1873, with tracing of plat; field notes and tabling of Allardt's survey of west boundary—two wooden stakes; stipulation to have testimony printed; record of testimony, volume 1, pages 1 to 418, inclusive; record of testimony, volume 2, pages 419 to 850, inclusive; tracing plat of Matthewson's survey; tra-	Corte de Madera del Presidio.	Heirs of Juan Reed.

## H.—Statement of descriptive notes, decrees of court, &amp;c.—Continued.

When sent.	Papers transmitted.	Name of claim.	To whom confirmed.
Apr. 23, 1877	cing of official survey; tracing referred to in surveyor general's report; surveyor general's report. Briefs: brief of contestant S. R. Throckmorton, J. W. Shanklin of counsel; brief for Reed heirs, Sol. A. Sharp, attorney; brief of Edwin Gardner, a grantee claimant, Samuel L. Cutter, attorney; brief for claimants, B. S. Brooks, attorney; brief for contestants, Mullan and Hyde, attorneys; brief for the United States. John M. Coghlan, attorney; brief of Peter Gardner in behalf of himself and the public lands; reply of Peter Gardner to B. S. Brooks and S. A. Sharp; reply to brief of John M. Coghlan for United States, and general review of other briefs; B. L. Brooks, attorney for claimants; ten exhibits offered by B. S. Brooks, attorney for T. B. Valentine; thirty-five exhibits offered by J. W. Shanklin, attorney for S. R. Throckmorton; seventeen exhibits offered by Mullan and Hyde's clients, eight exhibits offered by Edwin Gardner; nine exhibits offered by P. Gardner; ten exhibits offered by Sharp for Reed heirs; seventeen exhibits offered by J. B. Howard; nine exhibits offered by the United States.	Corte de Madera del Presidio.	Heirs of Juan Repd.
June 14, 1877	Notice of appeal from surveyor general's decision of April 28, 1877, by J. W. Shanklin, attorney for Throckmorton.	.....do .....	
Apr. 23, 1877	Plat; descriptive notes; seven skeleton maps; and certified copy of record of advertisement.	Cuyama .....	Heirs of C. Latallade, (deceased.)
Apr. 23, 1877	Plat; descriptive notes; five skeleton maps; and certified copy of record of advertisement.	.....do .....	Maria Antonia de la Guerra y Latallade.
July 12, 1877	Plat of survey; eight skeleton maps; tracing of Wheeler's survey; descriptive notes; certificate of advertisement; copy of mandate supreme court; copy of decree filing mandate; final decree of confirmation.	Ex Mission San Diego ..	S. Arguello.
Nov. 13, 1876	Huasna diseño; testimony taken by J. A. Robinson, United States commissioner; deposition of S. W. Foreman; affidavit of J. P. Andrews; affidavit of S. W. Foreman; deposition of S. W. Foreman and G. W. Larkin; affidavit of W. J. Graves; R. C. Hopkins's report; affidavit of Johnson in reference to Hopkins's report; objections to survey by Thomas Johnson; translation of the proceedings under the Mexican government; argument of John B. Bloss; argument of James F. Stuart; certified copy of final decree and order dismissing appeal; instructions to B. M. Henry, United States deputy surveyor, dated September 23, 1858, to survey rancho; field notes of survey closed February 28, 1859, by B. M. Henry; plat of B. M. Henry's survey, approved by surveyor general November 4, 1859; field notes of Harris's survey in August, 1872; plat of Harris's survey; certified copy of certificate of advertisement of Harris's survey; instructions dated May 17, 1872, to Harris to make survey; letter from surveyor general to Harris, dated April 12, 1873; letter from Harris to surveyor general, dated July 1, 1873; letter from surveyor general to Harris, dated July 18, 1873; field notes of amended survey by Harris; plat of survey by	Huasna .....	Sparks.

## H.—Statement of descriptive notes, decrees of court, &amp;c.—Continued.

When sent.	Papers transmitted.	Name of claim.	To whom confirmed.
Nov. 13, 1876	Harris in August, 1872, as amended in July, 1873; certified copy of certificate of advertisement in 1873; sundry protests and briefs filed previous to commissioner's decision of March 17, 1875; testimony taken before county clerk of San Luis Obispo County; report of R. C. Hopkins, filed August 26, 1876; protest of James F. Stuart; certified copy of record of approval; certified copy of certificate of advertisement in 1875; notice of selection by owners of rancho; proceedings before J. A. Robinson, United States commissioner, and surveyor general's opinion.	Huasna.....	Sparks.
Aug. 25, 1876	Translation of grant and judicial possession, also affidavit of Mrs. Maria A. Burton and Henry H. Burton.	Jamal .....	Burton.
Sept. 18, 1876	Descriptive notes, (corrected) .....	.....do .....	Do.
July 8, 1876	Descriptive notes and decrees, (corrected.) .....	Jurupa .....	Luis Ronbideau.
Nov. 13, 1876	Certified copy of plats of survey .....	.....do .....	Do.
July 29, 1876	Application to reopen case and take testimony, filed by Southern California Colony Association, Sayward, president; affidavit of Sayward and S. C. Evans, in support thereof; appeal of Southern California Colony Association; appeal of Alfred Robinson; appeal of S. C. Evans, attorney and agent California Colony; protest of Southern Pacific Railroad Company, B. B. Redding, attorney.	.....do .....	Abel Strarns
Mar. 31, 1877	Bill of Riverside News for advertising notice of hearing as to location of the Pachappa Hill.	.....do .....	Do.
Oct. 4, 1876	Report of R. C. Hopkins, and diagram.	.....do .....	Juan Bandini, (Stearns.)
Apr. 17, 1877	Certified copy of record of advertisement.	La Sierra .....	Sepulveda.
Aug. 7, 1876	Plat and descriptive notes, (corrected.)	La Zaca .....	M. A. de la G. y La-tallade.
Apr. 6, 1877	Plat of survey; five skeleton maps, descriptive notes; certified copy decree of confirmation United States district court; certified copy of order to file mandate, and certified copy of record of advertisement.	Las Bolsas .....	Maria Cleopa Nieto, wife of J. J. Morillo.
May 1, 1877	Plat and descriptive notes, (corrected)	.....do .....	Do.
June 29, 1877	Certified copy of certificate of advertisement.	.....do .....	Do.
Sept. 11, 1876	Copy of special instructions to John Goldsworthy, United States deputy surveyor, and Goldsworthy's account for survey of rancho.	Las Virgenes .....	Maria Antonia Machado.
Mar. 12, 1877	Plat of survey; three skeleton maps; descriptive notes; certified copies of record of advertisement; decree of confirmation United States land commission; juridical possession; petition of Doña Maria A. Machado; decree of United States district court, and extract from minutes of United States district court.	.....do .....	Do.
Apr. 14, 1877	Copy of deposition of A. B. Thompson; copy of decree of confirmation of United States district court; Copy order United States district court dismissing appeal; instructions to Deputy W. H. Norway, October 5, 1874; copy of field notes of Norway's survey, November 1874; letter of surveyor general to Norway to amend survey; copy of field notes of Norway's survey, June, 1875; notice from A. S. Cooper, attorney for claimants; protest of claimants against survey; protest of L. T. Burton, Jesse Hill, and Hill & Jones, against	Mission La Purisima...	José Ramon Malo.

## H.—Statement of descriptive notes, decrees of court, &amp;c.—Continued.

When sent.	Papers transmitted.	Name of claim.	To whom confirmed.
Apr. 14, 1877	survey; application of attorney for claimants to have testimony taken; testimony taken at Santa Barbara; "Ex. B," copy summons and complaint, D. W. Ap Jones <i>vs.</i> Juan Piña; testimony taken before J. A. Robinson, United States commissioner; "Ex. A, J. A. R.," map of rancho "Jesus Maria;" "Ex. B, J. A. R.," extract from field notes of rancho "Jesus Maria;" briefs of B. T. Thomas and Tully A. Wise; tracing of plat and surveyor general's opinion.	Mission La Purisima ...	José Ramon Malo.
June 5, 1877	Protest of C. A. Thompson, attorney for Jos. W. Cooper, against survey.	.... do .....	Do.
Mar. 15, 1877	Plat of survey; four skeleton maps; descriptive notes; certified copy decree of confirmation United States district court; certified copy certificate of advertisement; extracts from translations of grants; certified copy order dismissing appeal United States district court.	Morro y Cayucos .....	James McKinley.
Jan. 18, 1877	Certified copy order United States district court to file mandate of supreme court, and preface to descriptive notes.	Ojo de Agua de Figueroa	Juana B. de Miranda, <i>et al.</i>
Sept. 11, 1876	Certificate of judicial history, to precede descriptive notes.	Piedra Blanca .....	Pico.
April 18, 1877	Transcript of papers, &c., on file in office of clerk of United States district court, certified copies of; judgment district court, third judicial district; transcript of judgment district court, third judicial district; also transcript of papers, decrees, &c., pertaining to survey, (printed;) protest of D. K. Tripp; protest of D. K. Tripp, attorney for F. Larkin; petition of Guadalupe Castro to surveyor general, June 21, 1876; petition of Guadalupe Castro to supreme court; appearance of William Lowry and L. W. Halladay, as attorneys for G. Castro; objection of Lowry and Halladay to patent as issued; notice from claimant to surveyor general to hold patent; request of George W. Ellis for survey, and statement in regard to grants made to Don Joaquin Castro; statement No. 2 of George W. Ellis; petition to cancel patent and order new survey.	San Andres .....	Sepulveda.
Jan. 8, 1877	Letter Messrs. R. P. and H. N. Clement requesting recall of testimony, &c.	Pueblo of Sonoma .....	Mayor and common council city of Sonoma.
July 18, 1876	Amended decree United States district court dated November 26, 1876; decree United States district court of November 22, 1862, to correct survey; amended decree with order to correct surveys, dated January 26, 1855, and November 30, 1859, made by United States district court; notice of motion and affidavit of United States circuit judge staying proceedings, dated August 4, 1874; map, or sketch, showing rock A and B, at north end of rancho, accompanying affidavit of Von Licht; certified copy decree United States district court of December 1, 1859; copies of sundry letters, &c.	San Antonio .....	V. and D. Peralta.
Oct. 10, 1876	Copy order to return survey; copy of final decree approving survey, (with plat attached;) copy order that claimants proceed under decree approving survey as under final decree; copy of the enrolled papers in United States circuit court; order dismissing cause and that mandate be filed, and order denying motion to set aside order and decree dismissing appeal.	.... do .....	Do.

## H.—Statement of descriptive notes, decrees of court, &amp;c.—Continued.

When sent.	Papers transmitted.	Name of claim.	To whom confirmed.
Dec. 11, 1876	Certified copies of papers in land-commission; opinion board United States land commissioners; order of district court that surveyor general return plat of survey; instructions to James T. Stratton, deputy surveyor; also Stratton's field notes; tracing of plat of survey on file in office of clerk of district court and testimony taken before Surveyor General Maundeville, June 3, 1858.	San Antonio .....	V. and D. Peralta.
Sept. 19, 1876	Certified copies of suggestion of counsel that cause be continued in Supreme Court; stipulation that appeal be dismissed; decree dismissing appeal and mandate Supreme Court.	.....do .....	Do.
Jan. 15, 1877	Certified copies of field notes of sundry surveys of the northern boundary, as made by James T. Stratton, deputy surveyor; copy instructions to E. H. Dyer, July 15, 1867; tracing of map and request of H. W. Carpenter that map and certain field notes be forwarded to General Land Office.	.....do .....	Do.
Aug. 28, 1876	Application of Messrs. Mullan and Hyde for resurvey.	San Jacinto Nuevo y Potrero.	{ Segregated under act of July 23, 1876.
Aug. 28, 1876	Application of Messrs. Mullan and Hyde for resurvey.	San Jacinto Viejo.....	
April 4, 1877	Plat and account of G. H. Thompson for surveying.	San Jacinto Nuevo y Potrero.	T. W. Sutherland, guardian, &c.
Mar. 31, 1877	Bill Los Angeles Star for advertising ..	San Jacinto .....	José Antonio Estudillo.
June 15, 1877	Plat of survey, 5 skeleton maps, descriptive notes, decree of confirmation United States district court, mandate Supreme Court, and order of district court to file mandate; certificate of advertisement.	.....do .....	Do.
April 6, 1877	Plat of survey; 6 skeleton maps; descriptive notes; certified copy decree of confirmation United States district court; certified copy mandate United States Supreme Court, and certified copy record of advertisement.	San Juan (a) Cajon de Santa Ana.	Juan P. Outiveras.
Dec. 12, 1876	Appeals by J. P. Jones, S. Haley, and J. D. Sepulveda; Manuel Marquez, <i>et al.</i> , from Commissioner's decision of September 30, 1876.	San Vicente y Santa Monica and Boca de Santa Monica.	Francisco Sepulveda and Ysidro Reyes.
Aug. 26, 1876	Appeal of J. G. Downey.....	Santa Gertrudes .....	Thomas Sanchez Colima.
May 16, 1877	Letter from Glassell, Chapman, and Smith in relation to status of case.	.....do .....	Do.
June 6, 1877	Plat and descriptive notes, (corrected)	.....do .....	Do.
April 12, 1877	Tracing of plat and account of W. P. Reynolds for survey.	Santa Margarita y Las Flores.	Pío Pico, <i>et al.</i>
Nov. 6, 1876	Plat of survey; descriptive notes; certified copy certificate of advertisement; extract from minutes of southern district court; certified copy mandate United States Supreme Court; certified copy decree United States district court; and protest of Tully R. Wise.	Todos Santos y San Antonio.	Heirs of W. E. P. Hartwell.
Nov. 27, 1876	Certified copy record of advertisement	.....do .....	Do.
Nov. 29, 1876	Plat of survey, descriptive notes and decrees, (corrected,) and certified copy certificate of advertisement.	Tract of land near San Juan Bautista.	Patrick Breen.
Dec. 21, 1876	Descriptive notes and decrees, (authenticated.)	.....do .....	Do.
Jan. 24, 1877	Waiver of appeal by Messrs. Downey, Phillips, and Hayward, owners of grants; protests of Messrs. Downey, Phillips, and Hayward against reopening case.	Vale de San José and San José del Valle.	Portilla and Warner.
July 10, 1876	Appeal, affidavits, copy diseños, field notes, title papers, briefs, &c.	Vallecitos de San Marcos.	Lorenzo Soto.

H. G. ROLLINS,  
United States Surveyor General for California.



I.—Statement of special deposits for the survey of public lands in California during the fiscal year 1876-'77.

Name of depositor.	Date of deposit.	Amount of deposit.				Name of deputy.	Location of survey.	Meridian.	Remarks.
		Salaries.		Surveys.					
		Individual.	Total.	Individual.	Total.				
Joel C. Reupel .....	July 26, 1876	\$20 00	.....	\$180 00	.....	S. W. Foreman ..	Township 5 south, range 5 east...	Humboldt .....	Additional deposit.
Richard Drury .....	July 26, 1876	20 00	.....	180 00	.....	do .....	do .....	do .....	
Perry Drury .....	July 26, 1876	20 00	\$60 00	180 00	\$540 00	do .....	do .....	do .....	
Alex. Laird .....	July 31, 1876	15 10	15 10	199 90	199 90	C. T. Healy .....	Township 10 south, range 4 east...	Mount Diablo...	
Duncan Bryan .....	Aug. 3, 1876	12 50	.....	44 00	.....	James E. Woods ..	Township 19 north, range 17 west...	do .....	
Jacob Shepler .....	Aug. 3, 1876	12 50	.....	44 00	.....	do .....	do .....	do .....	
Thomas Dean .....	Aug. 3, 1876	12 50	.....	44 00	.....	do .....	do .....	do .....	
James Ahrood .....	Aug. 3, 1876	12 50	50 00	44 00	176 00	do .....	do .....	do .....	
Fred. Mayer .....	Aug. 11, 1876	100 00	100 00	42 00	42 00	A. B. Beauvais .....	Township 1 north, range 14 east...	do .....	
H. Sauser .....	Aug. 15, 1876	25 00	.....	29 00	.....	R. M. Wilson .....	Township 27 north, range 9 east...	do .....	
James Henry .....	Aug. 15, 1876	25 00	50 00	175 00	204 00	do .....	do .....	do .....	
Charles Faulke .....	Sept. 1, 1876	25 00	25 00	52 00	52 00	R. F. Herrick .....	Township 5 north, range 3 east...	Humboldt .....	
S. W. Long .....	Sept. 7, 1876	40 00	40 00	158 00	158 00	Alex. Dunn .....	Township 8 north, range 2 west...	Mount Diablo...	
Henry Lane .....	Sept. 12, 1876	23 00	23 00	15 00	15 00	R. F. Herrick .....	Township 1 north, range 2 east...	do .....	
Finley Thompson .....	Sept. 12, 1876	25 00	.....	25 00	.....	James E. Woods ..	Townships 16 and 17 north, range 16 west.	do .....	
James Thompson .....	Sept. 12, 1876	25 00	.....	75 00	.....	do .....	do .....	do .....	
Archie Thompson .....	Sept. 12, 1876	25 00	75 00	75 00	175 00	do .....	do .....	do .....	
M. J. Otis .....	Sept. 29, 1876	50 00	50 00	76 00	76 00	Charles T. Healy ..	Township 9 south, range 3 east...	do .....	
W. O. Howard .....	Oct. 9, 1876	40 00	40 00	60 00	60 00	G. W. Leires .....	Township 8 north, range 32 west ..	San Bernardino.	
Central Pacific Railroad Company.	Oct. 12, 1876	55 00	55 00	111 00	111 00	.....	Lands in list No. 3, indemnity limits California and Oregon branch Central Pacific Railroad, Marysville district.	.....	
Do.....	Oct. 12, 1876	274 00	274 00	548 00	548 00	.....	List No. 1, limits California and Oregon branch Central Pacific Railroad, Shasta district, California.	.....	
Do.....	Oct. 12, 1876	105 20	105 20	211 60	211 60	.....	List No. 3, limits California and Oregon branch Central Pacific Railroad, Marysville district.	.....	
Do.....	Oct. 12, 1876	88 50	88 50	177 00	177 00	.....	Lands in list No. 1, indemnity limits California and Oregon branch of Central Pacific Railroad, Shasta district.	.....	
E. H. Gates .....	Oct. 16, 1876	.....	.....	135 00	135 00	John Goldsworthy.	Township 3 south, range 7 west ...	San Bernardino	Additional deposit.

## I.—Statement of special deposits for the survey of public lands in California, &amp;c.—Continued.

Name of depositor.	Date of deposit.	Amount of deposit.				Name of deputy.	Location of survey.	Meridian.	Remarks.
		Salaries.		Surveys.					
		Individual.	Total.	Individual.	Total.				
Central Pacific Railroad Company.	Oct. 17, 1876	\$3 00	\$3 00	\$6 00	\$6 00	.....	Lands in lists No. 4, in Marysville district, section 15, in township 8 north, range 2 east.	Mount Diablo...	
Albert Bassett.....	Oct. 25, 1876	50 00	50 00	62 00	62 00	James E. Woods..	Townships 12 and 13 north, range 13 west.	....do .....	
William Temple.....	Oct. 28, 1876	25 00	25 00	30 00	30 00	L. Seibold.....	Township 2 south, range 11 west..	San Bernardino	
Mrs. S. M. Foster.....	Oct. 31, 1876	35 00	.....	82 00	.....	J. R. Glover.....	Township 13 north, range 16 west..	Mount Diablo ..	
Neil McCollom.....	Oct. 31, 1876	.....	.....	40 00	.....	do .....	do .....	do .....	
E. M. Gaspar.....	Oct. 31, 1876	.....	.....	23 00	.....	do .....	do .....	do .....	
John E. Martin.....	Oct. 31, 1876	.....	.....	40 00	.....	do .....	do .....	do .....	
S. W. Collins.....	Oct. 31, 1876	30 00	65 00	90 00	.....	do .....	do .....	do .....	
David H. Austin.....	Oct. 31, 1876	.....	.....	25 00	300 00	do .....	do .....	do .....	
J. N. Jatta.....	Nov. 4, 1876	112 00	112 00	50 00	50 00	R. R. Harris.....	Township 31 south, range 14 east..	do .....	
Almar B. Allen.....	Dec. 2, 1876	25 00	.....	175 00	.....	A. L. Knowlton ..	Township 15 north, range 7 west..	do .....	
August Rupert.....	Dec. 2, 1876	20 00	.....	30 00	.....	do .....	do .....	do .....	
Lorenzo Hough.....	Dec. 2, 1876	25 00	.....	50 00	.....	do .....	do .....	do .....	
R. H. Allen. (Alden estate)	Dec. 2, 1876	25 00	95 00	175 00	430 00	do .....	do .....	do .....	
James Wyman.....	Dec. 15, 1876	.....	.....	70 00	70 00	H. H. Sandford ..	Township 17 north, range 6 west..	do .....	
L. E. V. Coon.....	Dec. 22, 1876	50 00	50 00	150 00	150 00	S. W. Foreman.....	Township 5 south, range 5 east....	Humboldt .....	Subsequent deposit.
M. J. Otis.....	Jan. 5, 1877	.....	.....	21 39	21 39	Charles T. Healy ..	Township 9 south, range 3 east....	Mount Diablo..	Additional deposit.
Abram Snider.....	Feb. 24, 1877	20 00	.....	80 00	.....	James E. Woods..	Township 19 north, range 14 west..	do .....	
Newton B. Toney.....	Feb. 24, 1877	20 00	.....	20 00	.....	do .....	do .....	do .....	
Isaac Roper.....	Feb. 24, 1877	5 00	.....	45 00	.....	do .....	do .....	do .....	
Elisha E. Toney.....	Feb. 24, 1877	20 00	65 00	80 00	225 00	do .....	do .....	do .....	
J. W. Rickman.....	Mar. 2, 1877	10 00	.....	89 00	.....	R. F. Herriek.....	Township 2 south, range 2 west....	Humboldt .....	
Prosper Pijot.....	Mar. 2, 1877	10 00	.....	89 00	.....	do .....	do .....	do .....	
William Vandeventer	Mar. 2, 1877	10 00	30 00	88 00	266 00	do .....	do .....	do .....	
James Pullman.....	Mar. 21, 1877	50 00	.....	150 00	.....	J. R. Glover.....	Township 24 north, range 14 west..	Mount Diablo..	
James Chamberlain.....	Mar. 21, 1877	50 00	.....	150 00	.....	do .....	do .....	do .....	
Patrick Legruue.....	Mar. 21, 1877	50 00	150 00	150 00	450 00	do .....	do .....	do .....	
Giles E. Chittenden.....	Mar. 23, 1877	3 76	.....	196 24	.....	do .....	Township 24 north, range 15 west..	do .....	
Joseph Davidson.....	Mar. 23, 1877	20 00	23 76	180 00	376 24	do .....	do .....	do .....	
Allen Davidson.....	Mar. 23, 1877	20 00	20 00	80 00	80 00	do .....	do .....	do .....	
Ferdinand Grother.....	Mar. 23, 1877	5 00	.....	32 01	.....	do .....	Township 24 north, range 16 west..	do .....	
P. T. Archambeau.....	Mar. 23, 1877	60 00	.....	140 00	.....	do .....	do .....	do .....	
James Archambeau.....	Mar. 23, 1877	10 00	.....	40 00	.....	do .....	do .....	do .....	

Allen Davidson .....	Mar. 22, 1877	25 00	100 00	75 00	287 01	do .....	do .....	do .....	
L. A. Rolla .....	Apr. 12, 1877	25 00	25 00	25 00	25 00	D. F. Spurr .....	Township 12 north, range 12 west .....	do .....	
Joseph Shepherd .....	Apr. 26, 1877	25 00	.....	62 50	.....	James E. Woods .....	Township 18 north, range 14 west .....	do .....	
Jesse C. Thompson .....	Apr. 26, 1877	25 00	.....	62 50	.....	do .....	do .....	do .....	
R. L. Rowleson .....	Apr. 26, 1877	25 00	.....	62 50	.....	do .....	do .....	do .....	
Allen Davidson .....	Apr. 26, 1877	25 00	100 00	62 50	250 00	do .....	do .....	do .....	
Sidney Booth .....	Apr. 27, 1877	20 00	20 00	100 00	100 00	Authur L. Cox .....	Township 7 north, range 11 west .....	do .....	(Islands.)
E. D. Hosselkus .....	May 8, 1877	50 00	50 00	168 00	168 00	R. M. Wilson .....	Township 25 north, range 11 east .....	do .....	
Thomas Hopper .....	May 16, 1877	25 00	25 00	25 00	25 00	Preston Davis .....	Township 17 north, range 11 west .....	do .....	
Do .....	May 21, 1877	25 00	25 00	75 00	75 00	do .....	do .....	do .....	
A. B. Smallwood .....	June 14, 1877	35 00	35 00	.....	.....	George W. Lukin .....	Township 30 south, range 12 east .....	do .....	
William Smith .....	June 22, 1877	50 00	.....	113 34	.....	J. R. Glover .....	Township 23 north, range 16 west .....	do .....	
William J. Archambeau .....	June 22, 1877	50 00	100 00	100 00	213 34	do .....	do .....	do .....	
Central Pacific Railroad Company, successors to Western Pacific Rail- road Company.	June 29, 1877	18 00	18 00	18 00	18 00	do .....	Lands in list No. 5 .....	.....	
Daniel C. Kay .....	May 19, 1877	.....	.....	160 00	160 00	.....	Township 7 north, range 1 west ...	Humboldt .....	Certificate No. 271, forwarded by S. Cooper.
Total .....	.....	.....	2,237 56	.....	6,718 48	.....	.....	.....	

H. G. ROLLINS,  
United States Surveyor General for California.

J.—Statement of special deposits for office work in the survey of mining claims in California during the fiscal year 1876-77.

Name of surveyor.	Name of depositor.	Date of deposit.	Deposit for salaries.	Name of mine.	Location of mine.	Remarks.
E. C. Uren .....	J. F. Moody .....	July 6, 1876	\$40 00	Gold Ring Placer Mine .....	Placer County .....	
H. H. Sandford .....	W. J. Rickman .....	July 22, 1876	38 50	South Honcut Mine .....	Yuba County .....	
F. R. Miller .....	F. M. Hathaway .....	July 31, 1876	40 00	Schotchman's Creek Mining Company's Mine.	Nevada County .....	
A. R. Wheat .....	N. Heath .....	Aug. 1, 1876	40 00	Burgess Mine .....	Calaveras County .....	
J. M. Anderson .....	George Nelson .....	Aug. 1, 1876	39 80	Bone Set Mine .....	El Dorado County .....	
Do .....	Charles E. McLane .....	Aug. 1, 1876	35 00	Drouillard Placer Mine .....	do .....	
Palmer Smith .....	Z. S. Spalding .....	Aug. 2, 1876	40 00	Star Quartz Mine .....	Nevada County .....	
J. Ralph Nichols .....	Tiburcio Parrott .....	Aug. 2, 1876	40 00	Uncle Sam Mine .....	Lake County .....	
William F. Benson .....	E. Hestros .....	Aug. 3, 1876	20 00	Five Springs mill site .....	Fresno County .....	
Do .....	do .....	Aug. 3, 1876	40 00	Arambrido Quicksilver Mine .....	do .....	
Do .....	José Aurrecocha .....	Aug. 4, 1876	40 00	Aurrecocha Mine .....	do .....	
G. F. Deetken .....	James K. Byrne .....	Aug. 4, 1876	40 00	Pennsylvania Consolidated Quartz Mine.	Nevada County .....	
J. M. Anderson .....	Lyman S. Bell .....	Aug. 8, 1876	35 00	Excelsior Mine and mill site .....	El Dorado County .....	
A. B. Beauvais .....	Glason & Pemby .....	Aug. 16, 1876	40 00	Wheal Perran Quartz Mine .....	Tuolumne County .....	
H. F. Ferry .....	N. Heath .....	Aug. 17, 1876	50 00	Union Gold Mining Company's Claim	Calaveras County .....	
L. L. Hawkins .....	Lewis Chalmers .....	Aug. 17, 1876	39 50	Saint Helena Mine .....	Alpine County .....	
J. P. Dart .....	Robert Marshall .....	Aug. 30, 1876	40 00	Spring Gulch Quartz Mine .....	Tuolumne County .....	
A. M. Jones .....	John Williams .....	Sept. 7, 1876	40 00	Foster & Williams Placer Mine .....	Siskiyou County .....	
William S. Lowden .....	Happ & McMurray .....	Sept. 11, 1876	40 00	Five Cent Gulch Placer Mine .....	Trinity County .....	
A. M. Jones .....	E. McNulty .....	Sept. 18, 1876	40 00	McNulty Placer Mine .....	Siskiyou County .....	
H. S. Bradley .....	John Tierman <i>et al.</i> .....	Mar. 13, 1874	40 00	General Grant Quartz Mine .....	Nevada County .....	
R. M. Wilson .....	Edward N. Hooper .....	Sept. 25, 1876	40 00	Hooper Extension Quartz Mine .....	Plumas County .....	
Do .....	Gray & Haven .....	Sept. 27, 1876	40 00	Butte Placer Mine .....	Sierra County .....	
Do .....	do .....	Sept. 27, 1876	40 00	Excelsior Placer Mine .....	do .....	
Do .....	do .....	Sept. 27, 1876	20 00	Oak Placer Mine .....	do .....	
J. P. Dart .....	D. B. Warfield .....	Sept. 28, 1876	40 00	Consuello Quartz Mine .....	Tuolumne County .....	
H. S. Bradley .....	Johns on & Cross .....	Oct. 5, 1876	40 00	Omega Quartz Mine .....	Nevada County .....	
R. M. Wilson .....	Gray & Haven .....	Oct. 10, 1876	40 00	Mountain View Placer Mine .....	Sierra County .....	
H. S. Bradley .....	Joseph Perrin .....	Oct. 13, 1876	40 00	Stockton Quartz Mine .....	Nevada County .....	
W. L. McKim .....	S. Pocleporovich .....	Oct. 13, 1876	40 00	Pocleporovich Quartz Mine .....	Amador County .....	
Charles W. Hondel .....	P. Van Cleif .....	Oct. 16, 1876	35 00	American Hill Quartz Mine .....	Sierra County .....	
William L. McKim .....	I. N. Templeton .....	Oct. 21, 1876	39 25	North Gover Mine .....	Amador County .....	
L. L. Hawkins .....	Thomas W. Leggett .....	Oct. 25, 1876	40 00	Chancery, Chancellor, and Shriek Mines	Alpine County .....	
William L. McKim .....	I. N. Templeton .....	Oct. 27, 1876	75	North Gover Mine .....	Amador County .....	
W. K. Boucher .....	Henry Botcher .....	Oct. 27, 1876	40 00	Collier Gold, Copper, and Silver Mine	Calaveras County .....	
E. C. Uren .....	Robert Osborne .....	Oct. 31, 1876	40 00	Dalonga Quartz Mine .....	Placer County .....	
H. H. Sandford .....	M. Rodderick .....	Nov. 1, 1876	40 00	Union Company's Placer Mine .....	Yuba County .....	
Charles H. Seymour .....	H. P. Conner .....	Nov. 6, 1876	40 00	North Banner Quartz Mine .....	Nevada County .....	
A. B. Beauvais .....	Arnold & Carey .....	Nov. 15, 1876	40 00	The Old Smooth Bore Quartz Mine .....	Tuolumne County .....	
Do .....	Hunter, Arnold & Carey .....	Nov. 15, 1876	40 00	The Rifle Quartz Mine .....	do .....	
Do .....	Josiah Hall .....	Nov. 16, 1876	40 00	Buchanan Quartz Mine .....	do .....	

Additional deposit.

H. H. Sandford	Gibson & Foss	Nov. 16, 1876	40 00	Nevada Company's Placer Mine	Yuba County	
William Crapo	M. W. Bulshaw	Nov. 17, 1876	15 00	San Filippi Mine	Inyo County	Additional deposit.
Do	do	Nov. 17, 1876	15 00	Union Mine	do	Additional deposit.
Do	do	Nov. 17, 1876	15 00	Jefferson Mine	do	Additional deposit.
Do	do	Nov. 17, 1876	15 00	Enterprise Mine	do	Additional deposit.
A. M. Jones	W. H. Clark	Nov. 20, 1876	40 00	Siskiyou Quartz Mine	Siskiyou County	
R. M. Wilson	Gray & Haven	Nov. 21, 1876	20 00	Oak Butte and Excelsior Placer Mine	Sierra County	
D. D. Reaves	Globe Silver Mining Company	Nov. 22, 1876	40 00	Esmeralda Lode	Alpine County	
Do	do	Nov. 22, 1876	40 00	Hercules Lode	do	
W. S. Lillian	Lookout Coal and Transportation Company	Dec. 6, 1876	40 00	Mill site or reduction works	Inyo County	
A. W. Keddle	C. W. Reed	Dec. 7, 1876	30 00	Figra Old and Deer Flat Mine	Plumas County	
Do	do	Dec. 7, 1876	30 00	Pickwick Mine	do	
Do	do	Dec. 7, 1876	30 00	Oak Flat Mine	do	
P. J. Dewoody	J. H. McGee	Dec. 9, 1876	40 00	Manzanita Quicksilver Mine	Napa County	
Do	do	Dec. 9, 1876	40 00	Mercury Quicksilver Mine	do	
Do	do	Dec. 9, 1876	40 00	Minnesota Quicksilver Mine	do	
Samuel Bethell	D. W. Spear	Dec. 11, 1876	40 00	Crater Hill, west extension, Quartz Mine	Placer County	
Do	Republic Mining Company	Dec. 18, 1876	40 00	Republic Quartz Ledge Mine and mill site	Nevada County	
W. K. Boucher	C. H. Livingston	Dec. 20, 1876	40 00	Tiger Quartz Mine	Calaveras County	
A. W. Keddle	J. S. Carter and J. M. Blood	Dec. 23, 1876	40 00	Plumas Quartz Mine	Plumas County	
R. M. Wilson	Bald Mountain Extension Gold Mining Company	Dec. 23, 1876	130 00	Bald Mountain Extension Gold Mining Company	Sierra County	
A. B. Beauvais	Josiah Hall	Dec. 26, 1876	40 00	Excelsior Quartz Mine	Tuolumne County	
Samuel Bethel	J. B. Treadwell	Dec. 28, 1876	40 00	Gold Bar Gravel Mine	Placer County	Or Mammoth Bar Mine.
William Jabine	Peter Schwaline	Dec. 29, 1876	40 00	Schwalin Marble Quarry	El Dorado County	
A. B. Beauvais	Confidence Mining Company	Jan. 3, 1877	40 00	Jessie & Edith Quartz Mine	Tuolumne County	
E. C. Uren	Mrs. M. Page	Jan. 3, 1877	40 00	Page Placer Mine	Placer County	
A. B. Beauvais	Jos. J. Du Prat	Jan. 10, 1877	40 00	No Name Quartz Mine	Tuolumne County	
William Magee	John Morrell and W. Wattson	Jan. 10, 1877	40 00	Morrell & Watson Placer Mine	Shasta County	
Charles W. Hendell	Washington Blue Gravel Comp'ny	Jan. 11, 1877	60 00	Triangular Washington and Blue Gravel Mine	Sierra County	
John A. Benson	George Hearst	Jan. 10, 1877	40 00	Loyal Quartz Mine	Amador County	
H. S. Bradley	Cooper & McAnally	Jan. 15, 1877	40 00	Hill's Sulphur and Reduction Works	Nevada County	
William Crapo	J. B. Hughes	Jan. 29, 1877	40 00	La Desprisiada L. and L. Lode Mine	Inyo County	
E. G. Gaertner	O. H. Bogart	Feb. 1, 1877	20 00	Morning Star Mine	Alpine County	
James McGam	William Armstrong	Feb. 2, 1877	40 00	Bobbie's Blue Ledge Mine	Butte County	
J. B. Treadwell	J. B. Treadwell	Feb. 3, 1877	40 00	Blumberg Mine	Kern County	
J. M. Anderson	E. R. Morey	Feb. 8, 1877	35 00	Charles Quartz Lode	El Dorado County	
Do	D. W. Earle et al	Feb. 8, 1877	35 00	Earl Quartz Mine	do	
W. S. Lowden	F. H. Bloss et al	May 24, 1874	50 00	Center Placer Mine	Trinity County	
W. L. McKim	John Gawanta	Feb. 10, 1877	39 90	Centennial Quartz Mine	Amador County	
E. C. Uren	Daly & Hawkins	Feb. 10, 1877	40 00	Green Mining Company's Mine	Placer County	
A. B. Beauvais	Josiah Hall	Feb. 15, 1877	40 00	Churchill Quartz Mine	Tuolumne County	
Samuel Bethell	Thomas Hodge	Feb. 28, 1877	40 00	All's Well Quartz Mine	Nevada County	
Do	Martha Shoemaker	Feb. 28, 1877	40 00	Mammoth Bar Placer Mine	El Dorado and Placer Counties	
Denton D. Brown	Mammoth Gold Mining Company	Mar. 1, 1877	30 00	Mammoth Quartz Mine	Plumas County	
E. C. Uren	T. B. Ludlum	Mar. 2, 1877	39 60	Larson Cañon Placer Mine	Placer County	

J.—Statement of special deposits for office work in the survey of mining claims in California during the fiscal year 1876-'77—Continued.

Name of surveyor.	Name of depositor.	Date of deposit.	Deposit for salaries.	Name of mine.	Location of mine.	Remarks.
H. S. Bradley.....	W. D. Long.....	Mar. 2, 1877	\$40 00	Back Bone Placer Mine.....	Nevada County.....	
B. R. Simonton.....	do.....	Mar. 2, 1877	40 00	Deadwood Gold Quartz Mine.....	do.....	
J. M. Doyle.....	Julius Wegand.....	Mar. 6, 1877	40 00	Lion mill site.....	Colusa County.....	
J. P. Dart.....	D. B. Warfield.....	Mar. 7, 1877	10 00	Consuello Quartz Mine and mill site.....	Tuolumne County.....	Additional deposit.
Samuel Bethell.....	D. W. Earle.....	Mar. 8, 1877	40 00	Bullion Consolidated Quartz Mine.....	Nevada County.....	
L. L. Hawkins.....	Thomas W. Leggett.....	Mar. 10, 1877	60 00	Bueno and Balaklava Mines.....	Alpine County.....	Additional deposit.
John A. Benson.....	O. W. Easton.....	Mar. 13, 1877	40 00	Empire Quicksilver Mine.....	Sonoma County.....	
L. L. Hawkins.....	Advance Silver Mining Company.....	Mar. 14, 1877	360 00	Advance Silver Mines.....	Alpine County.....	Additional deposit.
William L. McKim.....	William Dewitt.....	Mar. 15, 1877	40 00	Dewitt Quartz Mine.....	Amador County.....	
do.....	E. Gormochio.....	Mar. 17, 1877	39 80	Valparaiso Quartz.....	do.....	
E. C. Uren.....	H. K. Devely.....	Mar. 19, 1877	40 00	North American Placer Mine.....	Placer County.....	
F. R. Miller.....	A. B. Dibble.....	Mar. 19, 1877	40 00	Walt Blue Gravel Mine.....	Nevada County.....	
E. N. Robinson.....	L. L. Robinson.....	Mar. 22, 1877	200 00	Lucky Jim and Extension and Christmas Gift Mine.....	Inyo County.....	
A. B. Beauvais.....	James W. Rankin.....	Mar. 24, 1877	40 00	Taylor Quartz Mine.....	Calaveras County.....	
Alexander McKay.....	Samuel Scott.....	Apr. 4, 1877	40 00	Scott Company Mine.....	Siskiyou County.....	
William Edmunds.....	John P. Leonard.....	Apr. 5, 1877	40 00	Good's Flat Quartz Lodge Mine.....	Butte County.....	
William Magee.....	Timothy Madden.....	Apr. 6, 1877	40 00	Church Hill Gold Placer Mine.....	Shasta County.....	
J. M. Anderson.....	G. W. Knox.....	Apr. 7, 1877	35 00	Placerville Placer Mine.....	El Dorado County.....	
William L. McKim.....	R. Breese et al.....	Apr. 9, 1877	40 00	Scalvonia Placer Mine.....	Amador County.....	
E. C. Uren.....	William Wilkinson.....	Apr. 9, 1877	40 00	Wilkinson Placer Mine.....	Placer County.....	
Samuel Bethell.....	A. B. Brady.....	Apr. 9, 1877	40 00	Pacific Consolidated Quartz Mine.....	Nevada County.....	
R. M. Wilson.....	Eagle Copper and Silver Mining Company.....	Apr. 10, 1877	30 00	Eagle Copper and Silver Mine and mill site.....	Calaveras County.....	
William L. McKim.....	Robert Aitken.....	Apr. 11, 1877	40 00	Monterichard Mine.....	Amador County.....	
William Crapo.....	L. Lasky.....	Apr. 12, 1877	40 00	San Benito Silver Quartz Mine.....	Inyo County.....	
A. B. Beauvais.....	Matilda Hill.....	Apr. 13, 1877	80 00	Heslep and Dutch Gold Quartz Mine.....	Tuolumne County.....	
William Sharp.....	Thomas Baird.....	Apr. 18, 1877	40 00	Orleans Bar Placer Mine.....	Humboldt County.....	
William Magee.....	B. Gartland.....	Apr. 21, 1877	40 00	Gartland Placer Mine.....	Shasta County.....	
G. F. Deetken.....	Henry Silvester.....	Apr. 23, 1877	40 00	Alta #3 Gravel Mine.....	Nevada County.....	
E. C. Uren.....	D. M. Hosmer.....	Apr. 25, 1877	40 00	Pioneer Flaming Company's Placer Mine.....	Placer County.....	
Samuel Bethell.....	Thomas McFate.....	May 2, 1877	40 00	Cassidy Consolidated Quartz Mine.....	Nevada County.....	
H. S. Bradley.....	William Berry.....	May 11, 1877	40 00	Mammoth Quartz Mine.....	do.....	
H. H. Sanford.....	M. Roderick.....	May 17, 1877	10 00	Union Placer Mine.....	Butte County.....	Additional deposit.
A. B. Beauvais.....	R. B. Prince.....	May 18, 1877	40 00	Altaville Quartz Mine and mill site.....	Calaveras County.....	
Joseph Seeley.....	Thomas J. P. Lacy.....	May 21, 1877	40 00	Arctic Gold and Silver Mine.....	Inyo County.....	
do.....	do.....	May 21, 1877	40 00	Boomerang Gold and Silver Mine.....	do.....	
do.....	D. H. Ward.....	May 21, 1877	40 00	Rio Montis Gold and Silver Mine.....	do.....	
J. G. Parke.....	J. B. Haggin.....	May 22, 1877	40 00	Saint Charles Mine.....	Kern County.....	
do.....	do.....	May 22, 1877	40 00	Sunrise Mine.....	do.....	
do.....	do.....	May 22, 1877	40 00	Estacha Mine.....	do.....	
William Sharp.....	William G. Sharp.....	May 23, 1877	40 00	Kirkham Placer Mine.....	Humboldt County.....	

G. F. Deetken .....	F. L. Meyer .....	June 1, 1877	20 00	Mill Site San Francisco Copper Mining Company.	Nevada County .....	
J. M. Anderson .....	John Schneider .....	June 6, 1877	40 00	Schneider and Company Quartz Mine.	El Dorado County .....	
William S. Lowden .....	John A. Burger .....	June 6, 1877	40 00	Harmen Gold Placer Mine .....	Trinity County .....	
E. Spaulding .....	Sacramento Gravel Company .....	June 6, 1877	40 00	Sacramento Gravel Company .....	Sierra County .....	
A. R. Wheat .....	C. Gottschalk .....	June 6, 1877	40 00	Chavanni Mine .....	Calaveras County .....	
A. B. Beauvais .....	Kimball and Cutting .....	June 6, 1877	40 00	Rocky Bar Quartz Mine .....	do .....	
E. C. Uren .....	James P. Preston .....	June 6, 1877	50 00	Bear River Placer Mine .....	Placer County .....	
G. F. Deetken .....	F. L. Meyer .....	June 7, 1877	40 00	Grass Valley Copper Mine .....	Nevada County .....	
John Goldworthy .....	J. B. Osborne .....	June 9, 1877	40 00	Gum Sight Mine .....	Los Angeles County .....	
J. M. Anderson .....	John Smith .....	June 12, 1877	35 00	Smith Quartz Mine .....	El Dorado County .....	
J. R. Meek .....	Jerry Watts .....	June 11, 1877	40 00	Watts Drifting Gold Mine .....	Sierra County .....	
R. M. Wilson .....	Plumas Eureka Mining Company .....	June 20, 1877	30 00	Washington Placer Mine .....	Plumas County .....	
Do .....	do .....	June 20, 1877	30 00	Oriental Placer Mine .....	do .....	
Samuel Bethell .....	D. W. Earl .....	June 20, 1877	10 00	Bullion Consolidated Quartz Mine .....	Nevada County .....	Additional deposit.
J. R. Nichols .....	Fiburcio Parrett .....	June 22, 1877	35 00	Uncle Sam Quicksilver Mine .....	Lake County .....	Additional deposit.
Samuel Bethell .....	Perry G. Gardner .....	May 2, 1877	40 00	Stockton Quartz Mine .....	Nevada County .....	
Total .....	.....	.....	5,917 10			

H. G. ROLLINS,  
United States Surveyor General for California.



## K.—Statement of accounts of deputy surveyors paid from the appropriation for the survey of public lands in California, during the fiscal year 1876-77.

DR.

CR.

Date of account.	In favor of—	Date of contract.	Amount.	Date.	On account of—	Amount.
Oct. 27, 1876	George H. Perrin.....	Oct. 27, 1876	\$24 14	July 1, 1876	By appropriation for the survey of public lands during the fiscal year ending June 30, 1877 .....	\$23,500 00
Feb. 14, 1877	William H. Carlton.....	Sept. 11, 1876	970 94			
Mar. 23, 1877	I. N. Chapman.....	Sept. 11, 1876	875 69			
Mar. 26, 1877	William H. Norway.....	Sept. 19, 1876	540 86			
Mar. 26, 1877	J. C. Fairchild.....	Sept. 11, 1876	534 52			
Mar. 26, 1877	J. C. Fairchild.....	June 20, 1877	183 96			
Apr. 6, 1877	William A. Richards.....	Sept. 11, 1876	526 46			
Apr. 27, 1877	John Gilcrest.....	Sept. 11, 1876	1,425 26			
May 23, 1877	James M. Anderson.....	Sept. 22, 1876	1,164 00			
June 7, 1877	A. T. Hermann.....	Sept. 11, 1876	291 07			
June 9, 1877	William H. Carlton.....	Nov. 17, 1876	1,020 79			
June 15, 1877	J. G. Parke.....	Mar. 26, 1877	42 00			
June 23, 1877	William P. Reynolds.....	Sept. 11, 1876	142 18			
June 26, 1877	I. N. Chapman.....	Nov. 17, 1876	996 78			
June 27, 1877	John A. Benson.....	Sept. 11, 1876	461 46			
July 9, 1877	John A. Benson.....	Sept. 11, 1876	184 14			
July 11, 1877	Albert G. Reuxton.....	Nov. 13, 1876	327 80			
July 31, 1877	T. H. Ward.....	Nov. 13, 1876	1,061 92			
July 31, 1877	James M. Anderson.....	Nov. 14, 1876	801 11			
	Balance applicable to contracts made prior to July 1, 1877, and not yet audited.....		11,924 92			
			23,500 00			23,500 00

H. G. ROLLINS,  
United States Surveyor General for California.

L.—Statement of account of appropriation for office rent, stationery, pay of messenger, and incidental expenses of the office of the United States surveyor general for California, for the fiscal year ending June 30, 1877.

Dr.				Cr.	
Sept. 30, 1876	To amount paid in July, August, and September, first quarter.....	\$1,151 33	July 1, 1876	By appropriation for pay of messenger, office rent, and incidental expenses for the fiscal year ending June 30, 1877 ..	\$3,000 00
Dec. 31, 1876	To amount paid in October, November, and December, second quarter.....	1,277 02		By deficiency appropriation, approved March 3, 1877 .....	2,000 00
Mar. 31, 1877	To amount paid in January, February, and March, third quarter .....	1,145 10			
June 30, 1877	To amount paid in April, May, and June, fourth quarter....	1,426 55			
		\$5,000 00			5,000 00

H. G. ROLLINS,  
United States Surveyor General for California.

M.—Account of appropriation for the salary of surveyor general for California during the fiscal year ending June 30, 1877.

Dr.				Cr.	
Sept. 30, 1876	To account of H. G. Rollins, first quarter .....	\$750 00	July 1, 1876	By appropriation for salary of the United States surveyor general for California during the fiscal year ending June 30, 1877 .....	\$3,000 00
Dec. 31, 1876	To account of H. G. Rollins, second quarter.....	750 00			
Mar. 31, 1877	To account of H. G. Rollins, third quarter .....	750 00			
June 30, 1877	To account of H. G. Rollins, fourth quarter .....	750 00			
		3,000 00			

H. G. ROLLINS,  
United States Surveyor General for California,

N.—Statement of account of appropriation for the compensation of clerks and draughtsmen in the office of the United States surveyor general for California during the fiscal year ending June 30 1877.

Sept. 30, 1876	To amount paid clerks and draughtsmen, first quarter.....	\$3, 650 00	July 1, 1876	By appropriation for compensation of clerks and draughtsmen for the fiscal year ending June 30, 1877.....	\$12, 000. 00
Dec. 31, 1876	To amount paid clerks and draughtsmen, second quarter ..	3, 650 00		By deficiency appropriation for the compensation of clerks and draughtsmen, approved March 3, 1877.....	2, 600 00
Mar. 31, 1877	To amount paid clerks and draughtsmen, third quarter....	3, 150 00			
June 30, 1877	To amount paid clerks and draughtsmen, fourth quarter ..	4, 150 00			
		14, 600 00			14, 600 00
June 30, 1877	To amount paid clerks and draughtsmen, fourth quarter...	3, 325 00	July 1, 1876	By appropriation for survey of private land claims in California, including necessary office expenses for fiscal year ending June 30, 1877.....	5, 000 00
	To balance.....	1, 675 00		By appropriation made by the second section of the act of August 15, 1877, notice of which was received with department letter "E," of June 30, 1877, after the salary account for the fourth quarter had been forwarded .....	978 26
		\$5, 000 00			
July 1, 1877	To balance.....	978 26			

H. G. ROLLINS,  
United States Surveyor General for California.

O No. 1.—Statement of special individual deposits with the United States treasurer at San Francisco, Cal., during the fiscal year 1876-'77, for compensation of clerks and draughtsmen in the office of the United States surveyor general for California.

Number of certificate.	Date of deposit.	Name of depositor.	Location of survey.	Meridian.	Amount of deposit.
6	July 26, 1876	Joel C. Russell	Township 5 south, range 5 east...	Humboldt	\$20 00
7	July 26, 1876	Richard Drury	do	do	20 00
8	July 26, 1876	Perry Drury	do	do	20 00
17	July 31, 1876	Alexander Laird	Township 10 south, range 4 east...	Mount Diablo	15 10
26	Aug. 3, 1876	Duncan Bryan	Township 19 north, range 17 west	do	12 50
27	Aug. 3, 1876	Jacob Shusler	do	do	12 50
28	Aug. 3, 1876	Thomas Dean	do	do	12 50
29	Aug. 3, 1876	James Alwood	do	do	12 50
32	Aug. 11, 1876	Fred. Mayer	Township 1 north, range 14 east...	do	100 00
35	Aug. 15, 1876	H. Lauser	Township 27 north, range 9 east...	do	25 00
36	Aug. 15, 1876	James Henry	do	do	25 00
45	Sept. 1, 1876	Charles Faulke	Township 5 north, range 3 east...	Humboldt	25 00
47	Sept. 7, 1876	S. W. Long	Township 8 north, range 2 west...	Mount Diablo	40 00
49	Sept. 12, 1876	Henry Lane	Township 1 north, range 2 east...	do	23 00
50	Sept. 12, 1876	Finley Thompson	Townships 16 and 17 north, range 16 west.	do	25 00
51	Sept. 12, 1876	James Thompson	do	do	25 00
52	Sept. 12, 1876	Archie Thompson	do	do	25 00
65	Sept. 29, 1876	M. J. Otis	Township 9 south, range 3 east...	do	50 00
73	Oct. 9, 1876	W. O. Howard	Township 8 north, range 32 west	San Bernardino	40 00
79	Oct. 12, 1876	Central Pacific Railroad Company.	Lands in list No. 3. Indemnity limits California and Oregon branch Central Pacific Railroad, Marysville district.	do	55 00
80	Oct. 12, 1876	do	List No. 1. Limits California and Oregon branch Central Pacific Railroad, Shasta district, California.	do	274 00
81	Oct. 12, 1876	do	List No. 3. Limits California and Oregon branch Central Pacific Railroad, Marysville district.	do	105 20
82	Oct. 12, 1876	do	Lands in list No. 1. Indemnity limits California and Oregon branch of Central Pacific Railroad, Shasta district.	do	88 50
88	Oct. 17, 1876	do	Lands in list No. 4 in Marysville district, section 15, township 8 north, range 2 east.	Mount Diablo	3 00
93	Oct. 25, 1876	Albert Bassett	Townships 12 and 13 north, range 13 west.	do	50 00
98	Oct. 28, 1876	William Temple	Township 2 south, range 11 west...	San Bernardino	25 00
102	Oct. 31, 1876	Mrs. S. M. Foster	Township 13 north, range 16 west	Mount Diablo	35 00
106	Oct. 31, 1876	L. W. Collins	do	do	30 00
110	Nov. 4, 1876	J. N. Jatta	Township 31 south, range 14 east	do	112 00
129	Dec. 2, 1876	Almar. B. Allen	Township 15 north, range 7 west...	do	25 00
130	Dec. 2, 1876	August Rupert	do	do	20 00
131	Dec. 2, 1876	Lorenzo Hough	do	do	25 00
132	Dec. 2, 1876	R. H. Allen, "Aldenes-tate."	do	do	25 00
148	Dec. 22, 1877	L. E. V. Coon	Township 5 south, range 5 east...	Humboldt	50 00
187	Feb. 24, 1877	Abram Snider	Township 19 north, range 14 west	Mount Diablo	20 00
188	Feb. 24, 1877	Newton B. Toney	do	do	20 00
189	Feb. 24, 1877	Isaac Roper	do	do	5 00
190	Feb. 24, 1877	Elisha E. Toney	do	do	20 00
199	Mar. 2, 1877	J. W. Rickman	Township 2 south, range 2 west...	Humboldt	10 00
200	Mar. 2, 1877	Prosper Pijot	do	do	10 00
201	Mar. 2, 1877	William Vandervert	do	do	10 00
214	Mar. 21, 1877	James Pullman	Township 24 north, range 14 west.	Mount Diablo	50 00
215	Mar. 21, 1877	James Chamberlain	do	do	50 00
216	Mar. 21, 1877	Patrick Legone	do	do	50 00
218	Mar. 22, 1877	Giles E. Chittenden	Township 24 north, range 15 west	do	3 76
219	Mar. 22, 1877	Joseph Davidson	do	do	20 00
220	Mar. 22, 1877	Allen Davidson	do	do	20 00
221	Mar. 22, 1877	Ferdinand Grothe	Township 24 north, range 16 west	do	5 00
222	Mar. 22, 1877	P. T. Archambeau	do	do	60 00
223	Mar. 22, 1877	William James Archambeau.	do	do	10 00
224	Mar. 22, 1877	Allen Davidson	do	do	25 00
240	Apr. 12, 1877	L. A. Rolla	Township 12 north, range 12 west	do	25 00
250	Apr. 26, 1877	Joseph Shepherd	Township 18 north, range 14 west	do	25 00
251	Apr. 26, 1877	Jesse C. Thompson	do	do	25 00
252	Apr. 26, 1877	R. L. Rowllson	do	do	25 00
253	Apr. 26, 1877	Allen Davidson	do	do	25 00
254	Apr. 27, 1877	Sidney Booth	Township 7 north, range 11 west...	do	20 00
265	May 8, 1877	E. D. Hossekus	Township 25 north, range 11 east	do	50 00
267	May 16, 1877	Thomas Hopper	Township 17 north, range 11 west	do	25 00

## O No. 1.—Statement of special individual deposits, &amp;c.—Continued.

Number of certificate.	Date of deposit.	Name of depositor.	Location of survey.	Meridian.	Amount of deposit.
272	May 21, 1877	Thomas Hopper .....	Township 17 north, range 11 west.	Mount Diablo.	\$25 00
299	June 14, 1877	A. B. Smallwood .....	Township 30 south, range 12 east.	do .....	35 00
304	June 22, 1877	William Smith .....	Township 23 north, range 16 west.	do .....	50 00
305	June 22, 1877	William James Archambeau.	do .....	do .....	50 00
308	June 29, 1877	Central Pacific Railroad Company, successors to Western Pacific Railroad Company.	Lands in list No. 5, township 7 north, range 1 west.	Humboldt ....	18 00
		Total .....			2, 237 56

H. G. ROLLINS,  
United States Surveyor General for California.

## O No. 2.—Statement of special individual deposits with the United States treasurer at San Francisco, Cal., during the fiscal year 1876-77, for compensation of clerks and draughtsmen in the office of the United States surveyor general for California.

Number of certificate.	Date of deposit.	Name of depositor.	Name of mine.	County.	Amount of deposit.
1	July 6, 1876	J. T. Moody .....	Gold Ring Placer Mine .....	Placer .....	\$40 00
5	July 22, 1876	W. J. Rickman .....	South Honcut Mine .....	Yuba .....	38 50
16	July 31, 1876	F. M. Hathaway .....	Scotchman's Creek Mining Company's Mine.	Nevada .....	40 00
18	Aug. 1, 1876	N. Heath .....	Burgess Mine .....	Calaveras .....	40 00
19	Aug. 1, 1876	George Nelson .....	Bone Set Mine .....	El Dorado .....	39 80
20	Aug. 1, 1876	Charles E. McLane .....	Dronllard Placer Mine .....	do .....	35 00
21	Aug. 2, 1876	B. S. Spalding .....	Star Quartz Mine .....	Nevada .....	40 00
22	Aug. 2, 1876	Tiburcio Parrott .....	Uncle Sam Mine .....	Lake .....	40 00
23	Aug. 3, 1876	E. Hestres .....	Five Springs mill site .....	Fresno .....	20 00
24	Aug. 3, 1876	do .....	Aramblide Quicksilver Mine .....	do .....	40 00
25	Aug. 3, 1876	José Arrecochea .....	Arrecochea Mine .....	do .....	40 00
30	Aug. 4, 1876	James K. Byrne .....	Pennsylvania Consolidated Quartz Mine.	Nevada .....	40 00
31	Aug. 8, 1876	Lyman S. Bell .....	Excelsior Mine and mill site .....	El Dorado .....	35 00
37	Aug. 16, 1876	Glason & Temby .....	Wheat Perran Quartz Mine .....	Tuolumne .....	40 00
39	Aug. 17, 1876	N. Heath .....	Union Gold Mining Company's Claim.	Calaveras .....	50 00
40	Aug. 17, 1876	Lewis Chalmers .....	Saint Helena Mine .....	Alpine .....	39 50
44	Aug. 30, 1876	Robert Marshall .....	Spring Gulch Quartz Mine .....	Tuolumne .....	40 00
46	Sept. 7, 1876	John Williams .....	Foster & Williams Placer Mine .....	Siskiyou .....	40 00
48	Sept. 11, 1876	Hupp & McMurry .....	Five Cent Gulch Placer Mine .....	Trinity .....	40 00
55	Sept. 18, 1876	E. McNulty .....	McNulty Placer Mine .....	Siskiyou .....	40 00
776	Mar. 13, 1874	John Tierman <i>et al.</i> .....	General Grant Quartz Mine .....	Nevada .....	40 00
56	Sept. 25, 1876	Edward N. Hooper .....	Hooper Extension Quartz Mine .....	Plumas .....	40 00
60	Sept. 27, 1876	Gray & Haven .....	Butte Placer Mine .....	Sierra .....	40 00
61	Sept. 27, 1876	do .....	Excelsior Placer Mine .....	do .....	40 00
62	Sept. 27, 1876	do .....	Oak Placer Mine .....	do .....	20 00
63	Sept. 28, 1876	D. B. Warfield .....	Consuello Quartz Mine .....	Tuolumne .....	40 00
67	Oct. 5, 1876	Johnson & Cross .....	Omega Quartz Mine .....	Nevada .....	40 00
78	Oct. 10, 1876	Gray & Haven .....	Mountain View Placer Mine .....	Sierra .....	40 00
84	Oct. 13, 1876	Joseph Perrin .....	Stockton Quartz Mine .....	Nevada .....	40 00
83	Oct. 13, 1876	S. Poolepovich .....	Poolepovich Quartz Mine .....	Amador .....	40 00
86	Oct. 16, 1876	P. Vanciel .....	American Hill Quartz Mine .....	Sierra .....	35 00
90	Oct. 21, 1876	L. N. Templeton .....	North Gover Mine .....	Amador .....	39 25
94	Oct. 25, 1876	Thomas W. Leggett .....	Chancery, Chancellor, and Shriek Mines.	Alpine .....	40 00
95	Oct. 27, 1876	L. N. Templeton .....	North Gover Mine .....	Amador .....	75
96	Oct. 27, 1876	Henry Botcher .....	Collier Gold, Copper, and Silver Mine.	Calaveras .....	40 00
101	Oct. 31, 1876	Robert S. Osborn .....	Dahlonga Quartz Mine .....	Placer .....	40 00
108	Nov. 1, 1876	M. Roderick .....	Union Company's Placer Mine .....	Yuba .....	40 00
111	Nov. 6, 1876	H. P. Conner .....	North Banner Quartz Mine .....	Nevada .....	40 00
114	Nov. 15, 1876	Arnold & Cary .....	The Old Smooth Bore Quartz Mine .....	Tuolumne .....	40 00
115	Nov. 15, 1876	Hunter, Arnold & Cary .....	The Rite Quartz Mine .....	do .....	40 00

O No. 2.--Statement of special individual deposits, &amp;c.—Continued.

Number of certificate.	Date of deposit.	Name of depositor.	Name of mine.	County.	Amount of deposit.
116	Nov. 16, 1876	Josiah Hall	Buchanan Quartz Mine	Tuolumne	\$40 00
117	Nov. 16, 1876	Gibson & Foss	Nevada Company's Placer Mine	Yuba	40 00
118	Nov. 17, 1876	M. W. Belshaw	San Felipe Mine	Inyo	15 00
119	Nov. 17, 1876	do	Union Mine	do	15 00
120	Nov. 17, 1876	do	Jefferson Mine	do	15 00
121	Nov. 17, 1876	do	Enterprise Mine	do	15 00
122	Nov. 20, 1876	W. H. Clark	Siskiyou Quartz Mine	Siskiyou	40 00
123	Nov. 21, 1876	Gray & Haven	Oak Butte and Excelsior Placer Mines.	Sierra	20 00
124	Nov. 22, 1876	Globe Silver Mining Company.	Esmeralda Lode	Alpine	40 00
125	Nov. 22, 1876	do	Hercules Lode	do	40 00
136	Dec. 6, 1876	Lookout Coal and Transportation Company.	Mill Site or Reduction Works	Inyo	40 00
137	Dec. 7, 1876	C. W. Reed	Figne, Old, and Deer Flat Mines	Plumas	30 00
138	Dec. 7, 1876	do	Pickwick Mine	do	30 00
139	Dec. 7, 1876	do	Oak Flat Mine	do	30 00
140	Dec. 9, 1876	J. H. McGee	Manganita Quicksilver Mine	Napa	40 00
141	Dec. 9, 1876	do	Mercury Quicksilver Mine	do	40 00
142	Dec. 9, 1876	do	Minnesota Quicksilver	do	40 00
144	Dec. 11, 1876	D. W. Spear	Crater Hill Western Extension and Quartz Mine.	Placer	40 00
146	Dec. 18, 1876	Republic Mining Company.	Republic Quartz Ledge Mine and Mill Site.	Nevada	40 00
147	Dec. 20, 1876	C. H. Livingston	Tiger Quartz Mine	Calaveras	40 00
149	Dec. 23, 1876	J. S. Carter and J. M. Blood.	Plumas Quartz Mine	Plumas	40 00
151	Dec. 23, 1876	Bald Mountain Extension Gold Mining Company.	Bald Mountain Extension Gold Mining Company.	Sierra	130 00
152	Dec. 26, 1876	Josiah Hall	Excelsior Quartz Mine	Tuolumne	40 00
153	Dec. 28, 1876	J. B. Treadwell	Gold Bar Gravel Mine or Mammoth Bar Mine.	Placer	40 00
154	Dec. 29, 1876	Peter T. Schwalm	Schwalm's Marble Quarry	El Dorado	40 00
157	Jan. 3, 1877	Confidence Mining Company.	Jessie and Edith Quartz Mines	Tuolumne	40 00
158	Jan. 3, 1877	Mrs. M. Page	Page Placer Mine	Placer	40 00
163	Jan. 10, 1877	Jos. J. Du Prat	No Name Quartz Mine	Tuolumne	40 00
161	Jan. 10, 1877	John Morell and W. Wattson.	Morrell and Wattson Placer Mine	Shasta	40 00
165	Jan. 11, 1877	Washington Blue Gravel Company.	Triangular Washington Blue Gravel Mines.	Sierra	60 00
164	Jan. 10, 1877	George Hearst	Loyal Quartz Mine.	Amador	40 00
168	Jan. 15, 1877	Cooper & McAnally	Hill's Sulphur and Reduction Works.	Nevada	40 00
176	Jan. 29, 1877	J. B. Hughes	La Desprisiada Lead and Silver Lode Mines.	Inyo	40 00
177	Feb. 1, 1877	O. H. Bogart	Morning Star Mines	Alpine	20 00
179	Feb. 2, 1877	William Armstrong	Bobbie's Blue Ledge Mine	Butte	40 00
180	Feb. 2, 1877	J. B. Treadwell	Blumenberg Mine	Kern	40 00
181	Feb. 8, 1877	E. R. Morey	Charles Quartz Lode	El Dorado	35 00
182	Feb. 8, 1877	D. W. Earle et al	Earl Quartz Mine	do	35 00
91	May 28, 1874	F. H. Bloss & Co	Center Placer Mine	Trinity	50 00
183	Feb. 10, 1877	John Gararanta	Centennial Quartz Mine	Amador	39 90
184	Feb. 10, 1877	Daly & Hawkins	Green Mining Company's Mine.	Placer	40 00
185	Feb. 15, 1877	Josiah Hall	Charchill Quartz Mine	Tuolumne	40 00
192	Feb. 28, 1877	Thomas Hodge	All's Well Quartz Mine	Nevada	40 00
193	Feb. 28, 1877	Martha Shoemaker	Mammoth Bar Placer Mine.	El Dorado and Placer.	40 00
195	Mar. 1, 1877	Mammoth Gold Mining Company.	Mammoth Quartz Mine.	Plumas	30 00
196	Mar. 2, 1877	T. B. Ludlum	Sarson Cañon Placer Mine	Placer	39 60
197	Mar. 2, 1877	W. D. Long	Back Bone Placer Mine.	Nevada	40 00
198	Mar. 2, 1877	do	Deadwood Gold Quartz Mine	do	40 00
203	Mar. 6, 1877	Julius Wegand	Lion Mill Site	Colusa	40 00
204	Mar. 7, 1877	D. B. Warfield	Consuela Quartz Mine and mill site.	Tuolumne	10 00
205	Mar. 8, 1877	D. W. Earle	Bullion Con. Quartz Mine	Nevada	40 00
207	Mar. 10, 1877	Thomas W. Leggett	Buena and Balaklava Mines	Alpine	60 00
208	Mar. 13, 1877	O. W. Easton	Empire Quicksilver Mine.	Sonoma	40 00
209	Mar. 14, 1877	Advance Silver Mining Company.	Advance Silver Mines	Amador	360 00
210	Mar. 15, 1877	William Dewitt	Dewitt Quartz Mine	do	40 00
211	Mar. 17, 1877	E. Gennochio	Valparaiso Quartz Mine	do	39 80
212	Mar. 19, 1877	H. K. Devey	North America Placer Mine.	Placer	40 00
213	Mar. 19, 1877	A. B. Dibble	Watt Blue Gravel Mine	Nevada	40 00

## O No. 2.—Statement of special individual deposits, &amp;c.—Continued.

Number of certificate.	Date of deposit.	Name of depositor.	Name of mine.	County.	Amount of deposit.
217	Mar. 22, 1877	L. L. Robinson .....	Lucky Jim and Extension and Christmas Gift Mines.	Inyo .....	\$200 00
225	Mar. 24, 1877	James W. Rankin .....	Taylor Quartz Mine .....	Calaveras .....	40 00
229	Apr. 4, 1877	Samuel Scott .....	Scott Company Mines .....	Siskiyou .....	40 00
230	Apr. 5, 1877	John P. Leonard .....	Good's Flat Quartz Ledge Mine .....	Butte .....	40 00
231	Apr. 6, 1877	Timothy Madden .....	Church Hill Gold Placer Mine .....	Shasta .....	40 00
232	Apr. 7, 1877	G. W. Knox .....	Placerville Placer Mine .....	El Dorado .....	35 00
234	Apr. 9, 1877	R. Breeze <i>et al.</i> .....	Sclavonia Placer Mine .....	Amador .....	40 00
235	Apr. 9, 1877	William Wilkinson .....	Wilkinson Placer Mine .....	Placer .....	40 00
236	Apr. 9, 1877	A. B. Brady .....	Pacific Consolidated Quartz Mine .....	Nevada .....	40 00
237	Apr. 10, 1877	Eagle Copper and Silver Mining Company.	Said company's mine .....	Calaveras .....	30 00
238	Apr. 11, 1877	Robert Aitkin .....	Monterichard Mine .....	Amador .....	40 00
239	Apr. 12, 1877	L. Lasky .....	San Benito Silver Quartz Mine .....	Inyo .....	40 00
241	Apr. 13, 1877	Matilda Hill .....	Heslep and Dutch Gold Quartz Mines.	Tuolumne .....	80 00
243	Apr. 18, 1877	Thomas Baird .....	Orleans Bar Placer Mine .....	Humboldt .....	40 00
245	Apr. 21, 1877	B. Gartland .....	Gartland Placer Mine .....	Shasta .....	40 00
248	Apr. 23, 1877	Henry Silvester .....	Alta No. 3 Gravel Mine .....	Nevada .....	40 00
249	Apr. 25, 1877	D. M. Hosmer .....	Pioneer Plumbing Company's Placer Mine.	Placer .....	40 00
256	May 2, 1877	Thomas McFate .....	Cassidy Consolidated Quartz Mine .....	Nevada .....	40 00
266	May 11, 1877	William Berry .....	Mammoth Quartz Ledge .....	do .....	40 00
268	May 17, 1877	M. Roderick .....	Union Placer Mine .....	Butte .....	10 00
270	May 18, 1877	R. B. Prince .....	Altaville Quartz Mine and mill site .....	Calaveras .....	40 00
274	May 21, 1877	Thomas J. P. Lacy .....	Arctic Gold and Silver Mine .....	Inyo .....	40 00
275	May 21, 1877	do .....	Boomerang Gold and Silver Mine .....	do .....	40 00
276	May 21, 1877	D. H. Ward .....	Reix Montis Gold and Silver Mine .....	do .....	40 00
277	May 22, 1877	J. B. Haggin .....	Saint Charles Mine .....	Kern .....	40 00
278	May 23, 1877	do .....	Sunrise Mine .....	do .....	40 00
279	May 23, 1877	do .....	Estacha Mine .....	do .....	40 00
280	May 23, 1877	William G. Sharp .....	Kirkham Placer Mine .....	Humboldt .....	40 00
285	June 1, 1877	F. L. Mayer .....	Mill site San Francisco Copper Mining Company.	Nevada .....	20 00
288	June 6, 1877	John Schnider .....	Schnider & Co.'s Quartz Mine .....	El Dorado .....	40 00
289	June 6, 1877	John A. Burger .....	Harmen Gold Placer Mine .....	Trinity .....	40 00
290	June 6, 1877	Sacramento Gravel Company.	Sacramento Gravel Company .....	Sierra .....	40 00
291	June 6, 1877	C. Gottschalk .....	Charanne Mine .....	Calaveras .....	40 00
292	June 6, 1877	Kimball & Cutting .....	Rocky Bar Quartz Mine .....	do .....	40 00
293	June 6, 1877	James P. Preston .....	Bear River Placer Mine .....	Placer .....	50 00
294	June 7, 1877	F. L. Meyer .....	Grass Valley Copper Mine .....	Nevada .....	40 00
295	June 9, 1877	J. B. Osborn .....	Sun Light Mine .....	Los Angeles .....	40 00
297	June 12, 1877	John Smith .....	Smith Quartz Mine .....	El Dorado .....	35 00
296	June 11, 1877	Jerry Watts .....	Watts Drifting Gold Mine .....	Sierra .....	40 00
300	June 20, 1877	Plumas Eureka Mining Company.	Washington Placer Mine .....	Plumas .....	30 00
301	June 20, 1877	do .....	Oriental Placer Mine .....	do .....	30 00
302	June 20, 1877	D. W. Earl .....	Bullion Consolidated Quartz Mine .....	Nevada .....	10 00
307	June 28, 1877	Ziburcio Parrott .....	Uncle Sam Quicksilver Mine .....	Lake .....	35 00
257	May 2, 1877	Perry G. Gardner .....	Stockton Quartz Mine .....	Nevada .....	40 00
		Total .....			5,917 10

## RECAPITULATION.

Amount deposited for office work in public land surveys .....	\$2,237 56
Amount deposited for office work in mining surveys .....	5,917 10
Total .....	8,154 66

H. G. ROLLINS,  
United States Surveyor General for California.



P.—Statement of account of special deposits for office work in the office of the United States surveyor general for California during the fiscal year 1876-77.

DR.			CR.		
1876.			1876.		
July 7	To amount of deposit by W. J. Miller, (withdrawn) .....	\$40 00	July 1	By balance on hand .....	\$4,086 47
July 7	.....do .....	40 00	July 1	By amount of deposit for public land surveys, as per Exhibit O, No. 1 .....	2,237 56
July 12	To excess of deposit by T. J. Gibson, (withdrawn) .....	18 50	July 1	By amount of deposit for survey of mining claims, as per Exhibit O, No. 2 .....	5,917 10
July 14	To amount of deposit by S. N. Putnam, (withdrawn) .....	40 00	July 1	By deficiency .....	484 70
July 28	To amount of deposit by James H. Hayden <i>et al.</i> , (withdrawn) .....	40 00			
Aug. 30	To excess of deposit by John McCann, (withdrawn) .....	16 00			
Sept. 29	To amount of deposit by W. G. Hughes, (withdrawn) .....	40 00			
Nov. 21	To excess of deposit by J. W. Alesworth, (withdrawn) .....	22 00			
Dec. 29	To amount of deposit by Cariboo Hydraulic Manufacturing Company, (withdrawn) ..	30 00			
Dec. 29	.....do .....	30 00			
Dec. 29	.....do .....	30 00			
Dec. 29	.....do .....	30 00			
1877.					
Jan. 18	To amount of deposit by W. W. Edwards, (withdrawn) .....	130 94			
Jan. 19	To excess of deposit by Joel C. Russell, (withdrawn) .....	180 00			
May 10	To amount of deposit by Matthew Maus, (withdrawn) ..	40 00			
1876.					
Sept. 30	To amount paid mining clerks and draughtsmen, (first quarter) .....	2,719 49			
Dec. 31	To amount paid mining clerks and draughtsmen, (second quarter) .....	4,473 90			
1877.					
Mar. 31	To amount paid mining clerks and draughtsmen, (third quarter) .....	4,775 00			
		12,725 83			12,725 83

PP.—Statement of accounts paid from the appropriation for the survey of private land claims in California during the fiscal year ending June 30, 1877.

1876.			1877.		
Oct. 18	To account of John A. Benson for surveying north boundary of Pueblo of Sonoma . . .	\$41 49	July 1	By appropriation for the survey of private land claims in California during the fiscal year ending June 30, 1877 . . . . .	\$5,000 00
28	To account of Los Angeles Daily and Weekly Star for advertising survey of Rancho las Virgenes . . . . .	10 00			
Sept. 23	To account of Post Publishing Company for advertising survey of Rancho las Virgenes . . . . .	4 40			
Dec. 9	To account of clerk of United States district court for certified copy of map, &c., of Rancho San Antonio . . . . .	28 85			
21	To account of clerk of United States circuit court for stipulation, &c. . . . .	4 00			
1877.					
Feb. 10	To account of Post Publishing Company for advertising survey of Rancho San Jacinto . . . . .	12 00			
Mar. 10	To account of Los Angeles Daily and Weekly Star for advertising survey of Rancho San Jacinto . . . . .	10 00			
17	To account of Riverside News for advertising survey of Rancho Jurupa . . . . .	5 00			
Jan. 10	To account of clerk of United States district court for certified copy of decree "Corral de Quati" . . . . .	1 95			
Mar. 28	To account of clerk of United States district court for copy of final order under mandate United States Supreme Court, case No. 302, southern district, United States vs. José Justo Morillo <i>et al.</i> . . . . .	1 30			
28	To account of clerk of United States district court for copy of record, United States vs. Guadalupe Castro, No. 100, southern district . . . . .	78 40			
May 19	To account of Post Publishing Company for advertising survey of Rancho San Jacinto Nuevo y Potrero, Thomas W. Sutherland, guardian, &c., confirmee . . . . .	12 50			
June 23	To account of Los Angeles Daily and Weekly Star for advertising survey of Rancho San Jacinto Nuevo y Potrero, Thomas W. Sutherland, guardian, &c., confirmee . . . . .	10 00			
30	To account for salaries of clerks and draughtsmen for the fourth quarter of fiscal year ending June 30, 1877 . . .	3,325 00			
30	To amount to balance . . . . .	1,455 11			
		5,000 00			5,000 00

H. G. ROLLINS,  
United States Surveyor General for California.

Q.—*Estimate for the surveying service in the district of California for the fiscal year ending June 30, 1879.*

For surveying extensions of meridians, standard parallels, township and subdivision lines and private land claims.....	\$130,000
For stationery, fuel, wages of messenger, draughting instruments, and other incidental expenses.....	5,000
For compensation of clerks and draughtsmen in the office of the surveyor general.....	30,000
For compensation of surveyor general.....	2,750
	<hr/>
	167,750

H. G. ROLLINS,  
United States Surveyor General for California.